



A SUMMARY

Accomplishments

of the

61st Legislature--Regular Session

TEXAS LEGISLATIVE COUNCIL / A Staff Product

A C C O M P L I S H M E N T S
of the
61ST LEGISLATURE

A Summary by the Staff
of the
TEXAS LEGISLATIVE COUNCIL
July 1969

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ACCOMPLISHMENTS OF THE REGULAR SESSION OF THE 61ST LEGISLATURE
(Summary by the Staff of the Texas Legislative Council)

July, 1969

The Regular Session of the 61st Legislature adjourned on June 2, 1969, making a place in history by toppling more all-time records than any other legislature to date. In the first place, it passed more legislation than any legislature before it. It came close to setting another record in the number of vetoes by the governor, as 55 measures failed to obtain his approval. It introduced more resolutions, simple, concurrent, and joint, and created more interim committees. It proposed to spend more money, but the general appropriations bill, budgeting \$2.8 billion, was one of the measures vetoed by the governor.

Of the 2,341 bills introduced in the House of Representatives and the Senate, 944 were carried to final passage. By no means did these measures constitute all of the legislation considered and enacted by the 61st Legislature. Nearly 2,000 simple and concurrent resolutions were introduced--1,951 to be exact. In addition, 100 joint resolutions or proposals for constitutional amendments were introduced, and 16 of them made their way through the legislative process to a place on the ballot for consideration by the Texas electorate. Nine will be voted on at the special election on August 5, 1969, and the remaining seven will be on the ballot at the general election on November 3, 1970.

The 61st Legislature faced many challenges, including important public school legislation, which encompassed everything from the teachers' pay raise to the recodification of Texas education law.

Higher education, too, profited from the constructive interest of the legislature, with creation of the first full, four-year state university to be constructed from the ground up since 1923--The University of Texas at San Antonio--and the establishment of three new medical schools, a new dental branch, and clinical nursing school. Faculty salaries were also increased. Vocational-technical training was expanded through the passage of a vocational-technical education act and the James Connally Technical Institute became part of a three-campus complex situated in Waco, Harlingen, and Amarillo.

One of the costliest programs with which the 61st Legislature dealt was the passage of legislation to implement the proposed \$9 billion plan for water resource development. As a part of the plan, a constitutional amendment will be on the ballot at the special election this year for the purpose of setting up a \$3.5 billion bond fund to carry the financial burden of the state's share of this water development plan.

A real innovation of the 61st Legislature was the passage of a minimum-wage bill, setting a \$1.25 pay floor effective on February 1, 1970, to be increased to \$1.40 the following year.

There was general clarification and tightening of dangerous drug laws, and narcotics control was the subject of many bills and several proposed legislative study committees. A bill was approved to restore the 1967 law against possession of LSD and other hallucinogenic drugs which was invalidated by a recent court decision.

Sweeping revisions were ordered in liquor law enforcement procedures, and legislative concern about disruptive activities on campuses was evidenced by enactment of restrictive legislation. The governor's authority to order curfews in troubled cities and disaster areas and to call policemen and troops to the scene of riots was also extended.

An "implied consent" act requiring suspected drunk drivers to take a breath test was adopted to help reduce the toll of dead and injured on Texas highways, and the force of highway patrolmen policing our highways would have been increased by 50 in the appropriations bill which was vetoed by the governor.

Advances in medical science were recognized when three pieces of legislation were written into law to clarify procedures for legal transplantation of hearts and other organs.

The \$2.8 billion general appropriations bill expanding nearly all state services and providing increased benefits for welfare recipients for the state's next fiscal year was enacted by the legislature but vetoed by Governor Preston Smith because he felt "that the spirit, if not the letter, of the Constitution of Texas, calls for a two-year general appropriations bill." The governor also expressed the belief that a one-year bill has the effect of delaying the imposition and collection of new taxes, which in turn would double the increased tax burden on the taxpayers of Texas.

A trend which has been evidenced in the past few legislative sessions was intensified by the 61st Legislature by the passage of simple and concurrent resolutions to create interim study committees. The 60th Legislature established a record by authorizing 55 of these committees, but the 61st nearly doubled the number with 22 concurrent and 81 simple resolutions, creating a total of 103 interim study committees, seeming to prove that as the state grows, so grow the interim duties of members of the legislature. Six of the resolutions creating interim committees were among measures vetoed by the governor because they were not signed before the two houses of the legislature. A complete listing of resolutions creating interim committees is included in Appendix B.

Several new state departments and agencies, as well as licensing and examining boards, were created. The Commission for Rehabilitation takes over the duties and the staffs of two divisions of the Central Education Agency, the Division of Vocational Rehabilitation and the Division of Disability Determination. A Texas Mass Transportation Commission, with staff and director, was established to encourage, foster, and assist the development of public mass transportation, both intracity and intercity, and to encourage the establishment of rapid transit and other transportation media.

The 61st Legislature followed the lead of the Congress in providing for long holiday weekends. After 1971 holidays observed on Monday will be Washington's Birthday, Memorial Day, Columbus Day, and Veterans Day.

An innovation of the 61st Legislature was the creation of an award to be called the Texas Distinguished Service Medal. The medal was authorized with the passage of SB 297. This medal is to be awarded to no more than five persons each year and recipients are to be selected by a special six-member committee upon the basis of recommendations submitted by any individual.

Unsolicited mail was the subject of another measure, SB 534, which provides that anyone receiving anything unordered in the mail except goods received due to a bona fide mistake may consider the goods as a free gift.

Vetoes by the governor made inoperative 67 separate measures enacted by the 61st Legislature, including 12 Senate concurrent resolutions, 37 Senate bills, and one House bill, which failed to receive his approval because they were not signed, as required by the Constitution, by the presiding officers of the House of Representatives and the Senate in the presence of members of each of these two legislative bodies. Among the measures were a series of bills and a resolution pertaining to the ownership and use of Texas beaches. These measures and the remaining 17 bills which were vetoed are listed in Appendix A.

The Legislature and Reapportionment

The Organization of both the Senate and the House of Representatives of the 61st Legislature proceeded rapidly under new presiding officers. Committee appointments were made by the lieutenant governor and the speaker within two weeks after the regular session convened on Tuesday, January 14, 1969.

Rules adopted by the Senate added new standing committees on Youth Affairs and Commerce and Industry. The names of two other committees were changed to describe more accurately the actual functions of the committees. Counties, Cities and Towns Committee became the County, District and Urban Affairs Committee,

and the Game and Fish Committee received a new name as the Parks and Wildlife Committee. This committee's name had not been changed following the merger in 1963 of the old State Parks Board and the Game and Fish Commission.

In the House of Representatives, too, committees were added and some committees were renamed. The House Rules also provided for a Youth Committee. Committees on Governmental Affairs and Efficiency and on Interim Activities, as well as a division of the Education Committee into committees on Higher Education and on Public Education, brought the total number of House standing committees to 45. The House Administration Committee, with broader powers and functions than its predecessor, succeeded the Contingent Expense Committee.

Two constitutional amendments were proposed relating directly to the legislature, both to be considered at the special election scheduled on August 5, 1969. SJR 31, if adopted, would give to the legislature the authority to set, within certain limits, the salaries of members of the legislature and of the lieutenant governor and the speaker of the House of Representatives. Under the provisions of the amendment, the lieutenant governor and the speaker could not receive more than one-half the salary of the governor, and the salary for members of the legislature would be limited to the amount that a district judge receives in salary from state funds. Another provision of the proposed amendment would remove the 120-day limit on payment of \$12 per diem for members during the 140-day regular session. The proposal would repeal the travel pay allowance for members now set at the rate of \$2.50 per 25 miles traveled to and from Austin.

HJR 8 would amend Article III, Section 5, of the Texas Constitution, by adding a new paragraph to provide for holding regular sessions of the legislature in even- as well as odd-numbered years, thus, in effect, instituting annual sessions. Provisions relating to the regular session in odd-numbered years are retained. With respect to regular sessions in even-numbered years, the proposed amendment limits the session length to 60 days and restricts its activities to consideration of "subjects of providing funds for the support of . . . activities of the state government and emergency matters submitted by the Governor in messages to the Legislature." The proposed amendment also provides that, commencing in 1971, the legislature must appropriate funds at each regular session for the support of activities of the state government for the succeeding fiscal year.

By enactment of SB 23, commissioners courts in counties having not less than 750 thousand nor more than one million population, according to the 1960 federal census, were authorized to provide offices and equipment in county buildings for members of the legislature whose districts lie wholly or partially within the county. However, this measure was among those vetoed by

the governor because it was not signed in the presence of members of the two houses of the legislature.

So that it might better serve the legislature, the Legislative Reference Library, originally a section of the State Library, became a separate entity under provisions of SB 263. The Legislative Reference Library will be administered by a board composed of the lieutenant governor, the speaker of the House of Representatives, the chairman of the Senate Finance Committee, the chairman of the Appropriations Committee of the House of Representatives and one other member of each house, appointed by the respective presiding officers.

An increase in retirement benefits for elective state officials, including members of the legislature, was included in SB 418. The regular maximum service retirement allowance was increased from \$100 to \$150 per month for elective state officials with more than eight years of service. For each additional year of service over eight years, the retired official's benefits are increased from the present additional allowance of \$10 per month to a sum equal to 5 percent of the total monthly salary paid duly elected members of the legislature on the date of retirement and may be adjusted thereafter. The increase in benefits began on the first day of the month following the effective date of the act. The measure, carrying an emergency clause for immediate effect, was signed by the governor on May 2, 1969.

Legislative and
Congressional
Reapportionment

The 61st Legislature was not faced with the problem of general reapportionment when it convened. However, two bills, SB 809 and HB 821, were enacted relating to the composition of state representative districts 35 and 36 and 19 and 20, respectively.

SB 809 shifted the boundary line between districts 35 and 36 in McLennan County slightly and will become effective for the primary and general elections for representatives to the 62nd Legislature from districts 35 and 36. In the other measure, HB 821, the boundary line between districts 19 and 20 was shifted so that the small town of Rosharon, divided by the redistricting measure of 1967, would be entirely within one district.

Elections and Voting

Another substantial revision of the Texas Election Code was accomplished by the 61st Legislature by enactment of HB 512. This 69-page bill followed the pattern of earlier revisions in 1963 and 1967. Among other things, the bill (1) prohibits the holding of other elections on the same day as a party primary; (2) provides for the signing of multiple-signature affidavits in bond elections rather than the present individual affidavits;

(3) provides for late voter registration by active duty and recently discharged military personnel; (4) makes various revisions in the section of the Election Code governing electronic voting systems, including adding provisions for a recount, specifying crimes relating to vote fraud and tampering with the electronic voting systems, providing a manager, a tabulation supervisor, and an election judge for the central counting station, and requiring preservation of original punch card ballots which need repunching; (5) limits reopening of filing to the party of that candidate in a primary where a candidate dies, withdraws, or is declared ineligible; (6) raises the filing fee for state representative in primaries and special elections to \$150; and (7) provides a procedure for calling a meeting of a party county executive committee to fill a vacancy in the office of county chairman.

HB 44 raises the maximum pay of election judges and clerks from \$1.25 to \$2 per hour, while HB 321 provides that this amount is the maximum total pay which may be received by judges and clerks in a joint election where they receive pay from more than one governing body.

The required publication of proposed constitutional amendments is limited to the text of the joint resolution below the resolving clause under HB 582. The mandatory waiting period between elections on the city sales tax is shortened from two years to one year under HB 10.

State Officials, State Departments and Agencies,
State Employees, and Examining and Licensing
Agencies

State Officials As discussed in the section of this report relating to The Legislature, a constitutional amendment (SJR 31) proposed by the 61st Legislature, which will be on the ballot at the special election on August 5, 1969, would authorize the legislature to provide salary increases for the lieutenant governor and the speaker of the House of Representatives, respectively, in amounts not to exceed one-half the salary of the governor. Both state officials, under present law and constitutional provisions, now receive the same annual salary as members of the legislature--\$4,800 per year. Reviewed in the same section is a bill (SB 418) authorizing an increase in retirement benefits for elected state officials, including members of the legislature.

HB 102 provides that nonelective state officers and employees may hold other nonelective offices or positions of honor, trust, or profit under this state or the United States, if benefit inures to the State of Texas or the United States, or is required by state or federal law and there is no conflict with the original office or position for which the officer or employee receives his salary.

Eligibility requirements and jurisdiction of notaries public were affected by enactment of SB 22. A person who maintains his principal place of business or of employment in a county, as well as one who is a resident of the county, is now eligible for appointment as a notary for that county. Each notary is still restricted to appointment in only one county, however. Date for reappointment of notaries public by the secretary of state was set as May 1 of each odd-numbered year, to become effective on June 1 for the next term of office.

HB 431 grants to the governor or to any city or town the power to declare a state of emergency under certain conditions. Under such a declared state of emergency, any power may be exercised which is reasonably necessary to protect the health, security, safety, peace, life, and property of the state or city or of their inhabitants.

HB 1219 authorizes the governor's office to arrange planning assistance for political subdivisions and to apply for and accept grants from the federal government or other sources in connection with such assistance.

State Departments
and Agencies

A number of new committees and commissions, some temporary in nature, were created by measures enacted by the

61st Legislature. One, SB 110, established a new state department to be called the Commission for Rehabilitation, which would take over all functions of the Division of Vocational Rehabilitation and the Division of Disability Determination of the Central Education Agency, as well as serve as the principal authority in the state on matters relating to rehabilitation of handicapped or disabled individuals except those suffering from visual disabilities. Other state agencies engaged in rehabilitation activities and related services are directed by the act to coordinate their activities with those of the Commission for Rehabilitation. The departmental appropriations section of the appropriations bill (SB 58), which was vetoed, allocated a total of \$30,165,197 to the new agency for the fiscal year ending August 31, 1970. Of this amount \$3,252,075 was to be appropriated from general revenue and the remaining \$26,913,122 to be derived from other funds. A board of the Commission for Rehabilitation was also created by the act, with its six members to be appointed by the governor for six-year, staggered terms. The board is authorized to appoint a commissioner as the agency's administrative officer, and also to appoint an advisory committee of nine members composed of citizens who have demonstrated an active and constructive interest in the rehabilitation of handicapped people.

Another new commission, scheduled to expire six years after effective date of the act (SB 21) is the John F. Kennedy Memorial Commission, made up of nine members appointed by the governor with advice and consent of the Senate. No salaries

are provided for commission members, although they are to be paid actual expenses, and the commission is charged with the duty of administering the John F. Kennedy Memorial as well as the acquisition of documents, photographs, and other property of historical interest suitable to the memorial.

Also given temporary status as a new agency was the Governor's Committee on Human Relations, created by SB 307. Membership of the committee consists of 50 Texas citizens, to be appointed by the governor, who have demonstrated their interest in the promotion and attainment of ideals of dignity and equality of opportunity for all members of society. Appointees are to be chosen so as to represent various geographical sections and various ethnic, racial, and religious groups of the State. February 1, 1973, is the date scheduled for termination of the committee.

Looking toward the celebration of the bicentennial of the American Revolution, the 61st Legislature created the American Revolution Bicentennial Commission (of Texas) (SB 701), composed of the secretary of state and the attorney general, as ex officio members, and seven citizen members appointed by the governor. Members of the commission will receive no salary but will be reimbursed for mileage, at the rate of 10¢ per mile, and will receive \$25 per diem. An appropriation of \$25,000 is made for the commission, which is also authorized to accept donations of money, personal property, or personal services. The commission is scheduled to expire on June 1, 1978.

Another of the new commissions created is the Commission on Fire Protection Personnel Standards and Education (SB 269), which is to be composed of nine members, residents of the State of Texas, appointed by the governor with the advice and consent of the Senate. Functioning in an ex officio capacity on the commission will be the State Commissioner of Education. Terms of regular commission members are to be for six years, but of the first appointees three shall serve for two years, three for four years, and three for the full term of six years. Members will receive no salary but are to be allowed actual and necessary expenses incurred in performance of their duties, which include certification of fire protection training and education programs and the instructors for the programs, directing research in the field of fire protection and accepting gifts and grants for such purposes, and recommending curricula for advanced courses and seminars in fire science training in colleges and institutions of higher education at the request of the Coordinating Board, Texas College and University System.

A charitable and nonprofit corporation to encourage private gifts of real and personal property or income therefrom for the benefit of a state system of parks, refuges, and scientific and recreational areas was created as the Texas Conservation Foundation by HB 790. The act provides that the Texas Conservation Foundation shall consist of a board having as members the executive director of the Parks and Wildlife Commission, the executive director of the Texas State Historical Survey Committee, and nine interested private citizens appointed by the governor, with the advice and consent of two-thirds of the Senate. Initial terms of appointed members of the board are to be staggered so that terms of one-third of the members will expire every two years. Members will serve without compensation but are to be reimbursed for actual and necessary traveling and subsistence expenses incurred in the performance of their official duties. The act stipulates that no property, income, or interest therein which passes to the foundation shall ever hereafter inure to the private benefit or profit of any individual, firm, or corporation. The foundation is required to transmit an annual report of its proceedings and activities to the legislature and the governor as soon as practicable at the end of each fiscal year.

Organizational changes were made in several state agencies. The Texas Liquor Control Board was given the more appropriate name "Texas Alcoholic Beverage Commission" by enactment of HB 379. SB 27 made a number of amendments, pertaining to administration and enforcement, to the Liquor Control Act.

The Texas Banking Code of 1943 was amended by HB 739 with respect to administration, and a detailed discussion of the amendments is contained in the section of this report on Business and Business Regulation.

The Texas Library Systems Act (HB 260) provided for the establishment of a state library system and state grants to aid in its establishment and development. The measure provides that the state library system include two general divisions (1) Major Resources Systems, and (2) libraries outside the Major Resources Systems. Each major resource system consists of community libraries (small public libraries) linked by contract to area libraries (medium-sized libraries), which are linked by contract to a major resource center (a large public library). Libraries in the second category, those outside the major resources systems, are linked to the systems by contract to provide the specialized materials and services needed to enrich systems service. In this division are included college and university libraries and media centers, technical information and research libraries, and public libraries which are not system members. Major purposes of the measure are (1) raising the level of library service in Texas, and (2) making adequate library service available to every system. The Texas Library System is under the direction of the Library and Historical Commission and its

administrative officer, the state librarian. A State Advisory Board, consisting of five librarians, appointed by the commission, will assist the commission, and six lay representatives from governing bodies included in the system will serve as an advisory council to make major recommendations to the system.

Under terms of SB 128, the executive director was named as head of the Texas Industrial Commission. Heretofore there had been no such provision in the commission's creating statute (Article 5185, Revised Civil Statutes of Texas, 1925), although the commission has had an executive director whose salary is provided for by state appropriations since 1959. Functions of the executive director as set forth in the amendatory legislation include the duty of keeping minutes of commission meetings, keeping records of the commission, and serving as administrator of all activities of the Texas Industrial Commission.

SB 294 provided for creation of an administrative services division within the State Auditor's Office with the responsibility of advising and assisting all state agencies in the improvement of procedures relating to managerial problems. A transfer of a portion of departmental functions from one agency to another was accomplished by SB 322. By this act the office, equipment, staff, reports, and collections of the state archeologist were transferred from the jurisdiction of the State Building Commission to the jurisdiction of the Texas State Historical Survey Committee. Further, the measure outlines the duties and responsibilities of the state archeologist to include general jurisdiction and supervision over all archeological work, reports, surveys, excavations, or archeological programs of the Texas State Historical Survey Committee and cooperating agencies. The state archeologist is charged with maintaining an inventory of significant sites of archeological and historic interest, whether prehistoric or historic; providing public information and education in the field of archeology and history; conducting surveys and excavations with respect to significant archeological and historic sites in Texas; preparing reports and publications concerning the work of his office; cooperating with the federal government and other state agencies and working toward preservation of the archeological and historical heritage of Texas. The act gives the Texas State Historical Survey Committee power to enter into contracts and cooperative agreements with the federal government, state agencies, state and private museums, and others in making prehistoric and historic archeological investigations, surveys, excavations, and restorations in Texas.

HB 792 changed the structure of the Texas Tourist Development agency, originally governed by a six-member advisory board and an administrator, both appointed by the governor, so that under the new act it is governed by a nine-member board, known as the Texas Tourist Development Board, which is given the authority to employ an executive director to serve as the chief administrative officer of the agency. Board members, to be

appointed by the governor with advice and consent of the Senate, are authorized to receive \$25 per diem plus expenses in performing their official duties. Terms of members are for six-years. Members must be knowledgeable in the field of advertising and promotion.

The statute governing the Texas Aeronautics Commission was amended by HB 823 to establish the commission's authority and jurisdiction over intrastate air carriers. In addition, the act grants economic and safety regulatory power to the commission, requires a certificate from the commission to operate a common carrier intrastate, provides for enforcement by the attorney general, and for judicial review on substantial evidence with venue in Travis County.

A tract of land in Austin was transferred to the Texas Rehabilitation Center for the Blind from the Texas Department of Mental Health and Mental Retardation by SB 487. The land is to be used for construction and operation of a new rehabilitation center for the blind and, according to the act, the contract for construction must be made before September 1, 1972, or the land will revert to the Texas Department of Mental Health and Mental Retardation.

The act creating the Commission on Law Enforcement Officer Standards and Education [Article 4413 (29aa), Vernon's Texas Civil Statutes] was amended by SB 10 to add the Commissioner of Higher Education of the Coordinating Board, Texas College and University System, to the list of ex officio members of the commission. SB 10 also expanded the duties of the commission by requiring it to establish and conduct peace officer training courses of its own or through other agencies. The commission was given the power to authorize reimbursement to political subdivisions for expenses of attending training programs as authorized by the legislature.

Under the provisions of SB 260 all governmental bodies are required to post in a public place written notice of all meetings at least three days in advance of the meeting. This requirement does not apply to those agencies financed wholly from federal funds or to those meetings called to deal with emergencies or urgent public necessities.

State	State employees are given the same
Employees	privilege of serving in additional
	positions of honor, trust, or profit
under this state or the United States as given to nonelective	
state officers under provisions of HB 102, discussed in the	
section of this report relating to State Officials.	

HB 774 provides for payment to the estate of an employee who dies for all of his accumulated vacation leave and for one-half of his accumulated sick leave. Payment is to be calculated at the rate of compensation being paid the employee at the time of his death and any appointed officer or employee is eligible whose position normally requires not less than 900 hours per year, with the exception of members of the legislature or any incumbent of an office normally filled by vote of the people. Others excluded from benefits are persons on piecework basis, operators of equipment whose wages are included in rental rate paid the owners of the equipment, persons covered by the Judicial Retirement System and by the Teacher Retirement System, except employees of the Teacher Retirement System, the Central Education Agency, and classified, administrative, and professional staff members employed by institutions of higher education who have accumulated vacation or sick leave, or both, during their employment.

The appropriations bill for the 1968-1969 fiscal year was amended with respect to payment of authorized overtime by agencies and institutions subject to the Fair Labor Standards Act with the adoption of SB 651 by the 61st Legislature. An additional paragraph in the overtime subsection provides that any agency or institution subject to the Fair Labor Standards Act, as amended, is authorized to reimburse employees for all authorized overtime by granting compensatory time or money from appropriated funds at the rate of 1-1/2 times the overtime performed within the same month (pay period) that the overtime was accrued.

Under HB 632, a state employee who is a member of the National Guard called to active duty by the governor because of an emergency is entitled to receive and shall be granted emergency leave without loss of military or annual leave. HB 378 authorizes the State Highway Commission to insure officers and employees from liability arising out of use, operation, and maintenance of equipment. The measure requires that all liability insurance so purchased must be provided on a policy form or forms approved by the State Board of Insurance as to form and by the attorney general as to liability.

Retirement benefits for state employees were increased by enactment of SB 55. Among major changes, the schedule in figuring rate of benefits was reduced from four to three categories by combining the second and third 10 years of service as the "Next twenty (20) years of service." The rate for the first 10 years of service is increased from 1 percent per year to 1.25 percent. For the next 20 years of service, compensation under the new law is to be figured at the rate of 1.50 percent per year, and all subsequent years, as in the old law, are to be figured at the rate of 1.75 percent per year. The minimum retirement annuity was also increased from \$30 per month to \$50 per month. Annuities of persons already retired will be automatically increased by 10 percent unless they receive

the annuity increase applicable under minimum rates. Provisions of the State Employees Retirement System Act relating to allowance on disability retirement--nonoccupational, for appointive officers or employees were amended to increase the percentage for computing a disability retirement allowance for members under age 60 from 1-1/4 percent per year of service to 1-1/2 percent per year multiplied by the 60 highest consecutive months during his last 120 months of creditable service. Instead of the old minimum annuity of 25 percent of his average compensation and the maximum of 50 percent, the amendments provide that the minimum will be 30 percent and the maximum 60 percent. The minimum monthly compensation computed on the new schedule for disability retirement was increased from \$60 to \$75.

Programs for the training and education of state administrators and employees are authorized under SB 653. Each department, institution, or agency of the state may establish its own programs or may enter into agreements with other organizations, including state-supported colleges or universities, to provide such programs.

The Texas Insurance Code was amended by SB 574 to make certain groups or associations of public employees eligible as policy-holders under group life insurance contracts. The bill also authorizes the payment of premiums in whole or in part from funds contributed by the employer or by the insured under any such group policy.

Examining and Licensing Agencies	The name of the State Board of Chiropractic Examiners was changed to State Board of Podiatry Examiners by enactment of SB 73. Other changes in the Healing Art Identification Act pertained to the use of identifications in this profession. The title of Doctor of Podiatric Medicine, D.P.M. and podiatrist, doctor, D.P.M., have been substituted for Doctor of Podiatry, D.P., and podiatrist, doctor, D.P.
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Licensing provisions pertaining to registration as an apprentice in the science of embalming were amended in HB 491 by lowering the minimum grade on the written examination given by the board from 75 to 70 percent.

Expense allowances of members of the State Board of Registration for Public Surveyors were increased by SB 174 from \$10 per day to \$25 per day each for each day members are actually engaged in the discharge of their official duties.

The State Bar Act was amended by HB 279 to give the district court of the county of residence authority to issue an order suspending an attorney from the practice of law during pendency of an appeal from conviction by a trial court of any felony involving moral turpitude or of any misdemeanor involving the

theft, embezzlement, or fraudulent appropriation of money or other property. Upon proof of final conviction the district court of the county of residence of the convicted attorney shall then enter a judgment disbaring him.

Explained in the section of this report relating to public health is the "Texas Renderers' Licensing Act," which was enacted as SB 150 to regulate renderers and provide for operating licenses.

Per diem allowance of members of the Board of Medical Examiners was increased by HB 574 from \$30 to \$50 each for any number of days which any such member may be active on business of the board, up to the already prescribed limit of 50 days of any calendar year.

SB 287 established regulations for the licensing of persons who fit and dispense hearing aids and created the Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids. The act, to take effect on January 1, 1970, provides for a nine-member board including six members qualified to fit and dispense hearing aids in Texas, one citizen member without financial interest in any type of hearing aid company, one member who is an active licensed practicing physician or surgeon specializing in the practice of otolaryngology, and one member who for a period of at least two years immediately preceding his appointment shall be an active practicing audiologist. All members of the board are to be appointed by the governor. Terms are for six years.

SB 98 amends Article 734b, Vernon's Texas Penal Code, relating to qualifications and examinations of applicants for a license to engage in the occupation of hairdresser, cosmetologist, or manicurist. The act adds language to permit filing of applications for examination by persons who have successfully completed 1,000 hours of beauty culture courses prescribed by the State Board of Hairdressers and Cosmetologists, taken in a public vocational school or schools approved by or for the state board of education, and 500 hours of related high school courses taken concurrently.

HB 358 amends the statute creating the Board of Nurse Examiners to provide for appointment by the board of an executive secretary and to prescribe his powers and duties. Per diem compensation of members of the board is increased from \$10 to \$25, and the act provides for election of a treasurer of the board rather than a secretary as provided in the original statute. Certain changes are made in prescribing the course of study of nursing schools, and the six-month waiting period for those who fail the board's examination is eliminated. Other changes are made with respect to fees for out-of-state certification, and fees to be charged by the board are listed.

Under HB 108 a time limitation was established within which actions must be brought against any registered or licensed engineer or architect. Also, HB 516 amended Article 249a, Title 10A, Vernon's Texas Civil Statutes, relating to architects and the practice of architecture. Amendments to the act deleted the \$10 per day to be paid to members of the Board of Architectural Examiners in attending to the business of the board and authorized the legislature to determine the daily pay rate; provided that the attorney general approve all rules and regulations adopted or changed by the board before they shall become effective; increased the fee for applying for examination to a maximum of \$50; deleted the United States citizenship requirement; added the requirement that an applicant possessing qualifications for licensing other than the graduation requirement must have had experience in architecture under one or more legally-practicing architects in the United States of America; provided for cancellation of the registration certificate of any person making or permitting unauthorized use of the official seal of a registered architect. Certain exemptions were included with respect to those employed by a private corporation or its affiliates, and the act provided that its requirements should not be construed to prohibit use of the title "Landscape Architect," or to limit the practice of landscape architecture. Interior designers and interior decorators do not fall within the prohibitions of the act, if practice does not infringe on architecture.

HB 111 created a Texas State Board of Landscape Architects, with membership to consist of three members who have been actively engaged in landscape architecture for the last 10 years. Appointments are by the governor for six-year staggered terms with advice and consent of the Senate. The board is authorized to employ an executive secretary and such other persons as deemed necessary to administer the act. Expense allowance for members of the board in carrying out official duties is limited to \$25 per day, each. The board will administer examinations for licensing and each application must be accompanied by a fee of \$50. Certificates of registration will be issued annually for a fee prescribed by the board, but in no event to be less than \$10 nor more than \$50. Penalties for late payment of fees are also provided.

The Texas Board of Private Detectives, Private Investigators, Private Patrolmen, Private Guards, and Managers was created by SB 164. The board has the function of regulating and licensing private detectives, private investigators, private patrolmen, private guards, private watchmen, and managers of these individuals. The act provides that the board be composed of seven members, including the director of the Department of Public Safety, or his designated representative; the attorney general, or his designated representative; one city or county law enforcement officer, one citizen member, and three members licensed under the act or who have been engaged for a period of

five consecutive years as private investigators, private guards, or law enforcement officers, and who are not employed by the same person or agency as any other member of the board, all to be appointed by the governor, with advice and consent of the Senate. The citizen member is designated as chairman. Members appointed by the governor serve two-year terms, and other members serve during their terms of office. Examinations and license and delinquency fees are provided for by the act, and licensees are required to file a surety bond with the board. Penal provisions are provided for enforcement.

A new board, the Texas Private Employment Agency Regulatory Board, was created by HB 169 for the purpose of licensing private employment agencies and private employment agency operators. The nine-member board, to be appointed by the governor with advice and consent of the Senate, will have its main office in the Bureau of Labor Statistics, and the commissioner of the bureau will administer and enforce provisions of the act. A grandfather clause covers all private employment agencies in business and operating and holding licenses as private employment agents on September 1, 1969. Effective date of the act is September 1, 1969, but in order to provide for orderly transition from the old to the new regulatory methods, the original law remains in effect and prevails over conflicting or inconsistent provisions of HB 169 through December 31, 1969.

SB 388 created the Texas Board of Licensure for Nursing Home Administrators. The board consists of nine members, among them, as ex officio members, ". . . the Commissioner of Public Welfare for the State of Texas, or his designee, and the Commissioner of Health of the Texas State Department of Public Health, or his designee" The other seven members, to be named by the governor, include a physician duly licensed by the State of Texas, an educator connected with a university program in public health or medical or nursing home care administration within the state, and five members who are duly licensed nursing home administrators (with the exception of the initial appointees). After the initial terms, members will serve for three-year terms. The board is charged with the duty of providing and enforcing standards to be met in order for individuals to be licensed as nursing home administrators and to develop techniques, including examinations, for determining whether standards are met.

A requirement that all psychologists must be certified and licensed was established by SB 667. This bill also provides that a Texas State Board of Examiners of Psychologists shall be created to administer the new requirement.

Water

The 61st Legislature took meaningful steps in many areas of law relating to water and its use. For convenience in discussion, this legislation has been divided into five categories: (1) Use of State Water; (2) Pollution; (3) Texas Water Development Board; (4) Water Districts; and (5) Special District Laws.

Use of State Water Four bills relating to the use of state water and recommended by the Interim Water Study Committee of the House of Representatives were enacted. HB 176 amends Article 7468 of the Revised Civil Statutes of Texas, 1925, as amended, by adding the specific provision for storing or diverting water for any beneficial purpose. In the list of preferences controlling the appropriation of public water, "for other beneficial uses" is added as the final preference, by HB 178, without otherwise changing the listing.

In the formulation of the Texas Water Plan requiring importation of water from outside the state, Article 7467, which relates to state water ownership, had to be expanded to include these imported waters. HB 181 amends Article 7467 by providing that waters imported for use within the state become the property of the State of Texas if transported by utilizing state-owned or operated facilities or through the beds and banks of any of the navigable streams of Texas for use within the state.

HB 1138 amends Article 7612 by removing the requirement that annual statements on water use submitted to the Texas Water Rights Commission be sworn.

Pollution Included in legislation enacted relative to water pollution was a complete rewrite of the Texas Water Quality Act of 1967, which was passed by the 60th Legislature. In SB 147 the legislature revised and rearranged the Texas Water Quality Act and made numerous substantive changes throughout the act which will give the state more effective control of water quality.

SB 6 adds to the Penal Code of Texas, 1925, a new Article 698c, which defines the offense of water pollution and provides for criminal prosecution of violators. Any person convicted of violating the act is deemed guilty of a misdemeanor punishable by a fine of from \$10 to \$1,000.

Solid waste disposal was the subject of SB 125. Under this measure, control of the collection, handling, storage, and disposal of solid waste is placed in the hands of the Department of Health, The Texas Water Quality Board, and local governing bodies. Municipal solid waste and municipal and industrial solid waste are within the jurisdiction of the Department of Health, while the Water Quality Board has jurisdiction over industrial solid waste.

By SB 138 the law relating to injection wells was revised and rewritten. Although the act retained most of the substance of the previous law, it also transfers from the Texas Water Development Board to the Texas Water Quality Board the regulation of injection wells injecting industrial and municipal waste into the ground.

Texas Water
Development
Board

In late 1968 the Texas Water Development Board presented the Texas Water Plan, an ambitious program designed to provide the state with enough water to meet needs for the next 50 years. Much of the legislation relating to the Water Development Board that was enacted during the Regular Session of the 61st Legislature was designed to assist in operating and financing the Texas Water Plan. Perhaps the keystone of the entire program is the proposed amendment to the Texas Constitution, HJR 9, which will be on the ballot at the special election on August 5, 1969. If adopted, this amendment would authorize the Texas Water Development Board to sell up to \$3.5 billion in bonds upon approval of two-thirds of the members of the legislature. Proceeds from these bonds would be used, primarily, to finance the state's share in constructing facilities or implementing the Texas Water Plan. The proposed amendment would remove the interest-rate limitation of 4 percent on Water Development Bonds, so that the bonds would find a more ready market during this period of high interest rates. The termination date for the Water Development Fund, now constitutionally set for 1982, would be removed under the proposed amendment, which also provides for enlarging powers of the Water Development Board.

As part of the implementing legislation for the proposed constitutional amendment, SB 242 amends the Water Development Board Act (Article 8280-9, Vernon's Texas Civil Statutes) by eliminating the 4 percent interest rate on Water Development Bonds, and the act also deletes the limitation on the amount of bonds to be sold in a six-month period. Maximum maturity period for Water Development Bonds is extended from 40 to 50 years in the same bill.

SB 243 follows the provisions of HJR 9 by eliminating the termination date for financial assistance available from the Water Development Board.

Two sections of the Water Development Board's Act relating to financial assistance to political subdivisions for water projects were combined by SB 244. Substantive changes made by this act eliminate the termination date for financial assistance and remove certain requirements in applications for financial assistance from the board.

SB 245 changes the criteria for political subdivisions which request financial assistance from the Water Development Board, and under SB 246 the board is authorized to purchase bonds of political subdivisions receiving assistance from the board if the bonds have a maximum maturity up to 50 years. The previous limitation was a maximum maturity of 40 years. The limitation on the amount of bonds and other securities of a political subdivision which may be purchased by the board was also increased from \$15 million to \$30 million.

SB 411 generally expands the authority of the Water Development Board, so that the board may execute the Texas Water Plan. The act allows the board to provide needed facilities either alone or through cooperation with other governmental entities, to sell facilities, to execute contracts, and to receive grants.

Under HB 1027 the board is authorized to improve streams and canals and to construct facilities necessary to provide navigation in the Cypress Creek drainage basin.

Water Districts At each session of the legislature a large number of bills are enacted creating special water districts in various parts of the state. Many of these water districts have become inactive, but there has been no general procedure for their dissolution. To remedy this situation, the 61st Legislature enacted HB 179 setting out detailed procedures for dissolving inactive districts if they have been inactive for five consecutive years and if they have no bonded indebtedness.

HB 703 authorizes navigation districts to acquire land, charge for its use, and pledge the income to pay obligations. The act also authorizes the districts to issue additional obligations which will be on a parity with, senior to, or subordinate to other obligations of the district. It requires the districts to bear the sole expense for changing or moving utility equipment located on land which the district takes by power of eminent domain.

HB 1012 authorizes districts and authorities created under Article XVI, Section 59, of the Texas Constitution, and certain corporations to contract with other districts, authorities, and corporations to supply water to other districts, authorities, or corporations.

The Texas Water Rights Commission is authorized by HB 1139 to investigate and report on the feasibility of projects proposed by fresh water supply districts, and to seek to enjoin the projects if they are found not to comply with approved plans.

HB 1143 places all districts, created by either general or special law, which derive powers and duties from Article XVI, Section 59, of the Texas Constitution, under the continuing supervision of the Texas Water Rights Commission.

The amendment to the Texas Constitution proposed by SJR 6 and SB 54 exempt nonprofit water supply corporations from ad valorem taxation.

Special District As in past sessions, a large number
Laws of special laws relating to specific
 water districts were enacted. A
total of 88 of these measures created new water districts.

For information relating to interim committees created for the study of water and water problems, see a listing and description of interim committees contained in Appendix B.

Welfare

The legislature passed two proposed constitutional amendments dealing with welfare. They were placed on the ballot for the August 5, 1969, election.

The most crucial of the two was proposed by SJR 8.

This proposed amendment makes three changes in Article III, Section 51-a, of the Texas Constitution:

(1) It raises the ceiling on the amount which may be expended out of state funds per fiscal year for money payments (grants) to public assistance recipients from \$60 million to \$80 million.

(2) It adds a provision making a supplemental appropriation of \$15 million for each fiscal year in the period beginning September 1, 1969, and ending August 31, 1971, in addition to the \$60 million appropriation in the Departmental Appropriations Bill for the payment of assistance grants for the fiscal year beginning September 1, 1969. The supplemental appropriation is allocated and will be available to the Department of Public Welfare for the purpose of paying assistance grants effective September 1, 1969, as follows:

	For the Biennium	For each Fiscal Year
Old Age Assistance	\$ 3,600,000	\$ 1,800,000
Aid to the Permanently and Totally Disabled	2,500,000	1,250,000
Aid to Families with Dependent Children	23,900,000	11,950,000
TOTAL	\$ 30,000,000	\$ 15,000,000

The funds will be made available on the basis of equal monthly installments. The \$60 million appropriated in the regular Appropriation Act for the fiscal year beginning September 1, 1969, plus the \$15 million supplemental appropriation for the same year, makes a total of \$75 million appropriated, or \$5 million less than the \$80 million ceiling per fiscal year which may be appropriated by the legislature for assistance payments in the future as provided in the proposed Amendment No. 5.

(3) It streamlines the provisions so as to eliminate certain eligibility requirements from the Constitution and gives the legislature the authority to prescribe eligibility requirements for the needy aged, the needy disabled, the needy blind, and needy children. Age requirements for the needy aged, the needy disabled, the needy blind, and needy children have been deleted as have also citizenship requirements for the last three mentioned categories of participants.

The other amendment dealing with welfare was proposed by HJR 4.

This proposed amendment to Section 51-d of Article III of the Texas Constitution adds certain governmental employees, officers, and agents to the list of persons whose surviving spouses and minor children are eligible for assistance as provided by general law.

Enumerated among those whose surviving spouses and children would be eligible for assistance are volunteer firemen, reserve or auxiliary police, and any other employees, officers, and agents of the state or of any political subdivision who, because of the hazardous nature of their duties, suffer death as a result of performing those duties.

HB 96 was passed to provide enabling legislation for HJR 4, if it is adopted by the voters.

Other welfare legislation included SB 208, which removes the exemption of handicapped children from compulsory school attendance requirements if adequate educational facilities exist in the state. It also provides for reporting by school districts of the number of handicapped children for whom they have no facilities.

Nonprofit nursing care homes and housing for low-income elderly are exempt from taxation under SB 39. Nursing homes would have to have at least 100 beds and housing for the elderly would have to have at least 250 units to be eligible for the exemption. They would also have to be involved in geriatric research, personnel training, nutritional development, and psychological and nutritional research for the elderly.

The act providing special education services for "exceptional children" has been expanded by SB 112 to include pregnant girls who are residents of or under the care of licensed maternity homes.

SB 286 permits Harris County to contract with some already established bar association, nonprofit corporation, nonprofit trust association or any other nonprofit entity to provide counsel for indigents.

The Governor's Committee on Human Relations was created by SB 307. It will be composed of 50 members to recommend programs of action designed to better understanding and relationships between various racial, ethnic, and religious groups. The committee is authorized for four years.

Membership on child welfare boards is now allowed to vary from 7 to 15 members under SB 441. The bill also allows the creation of multi-county child welfare boards.

The present statute on dependent and neglected children requires that a child be under 16 years of age before he can be sent to a public institution. This statute was amended by HB 506 to set the age limit at 18.

HB 432 was passed to extend the study created by the Barnes-Wright Study Act of 1967. The study concerns language-handicapped children, especially those suffering from alexia.

HB 1452 provides that in the case of parental absence, the grandparent, adult brother or sister, aunt or uncle, or legal guardian of a minor child may give the written consent necessary for medical care.

The term "prosecuting attorney" is redefined under HB 1086, so that his functions can be handled by a county attorney or criminal district attorney under the Uniform Reciprocal Enforcement of Support Act. The measure was enacted to solve the problems caused by multi-county districts.

State compliance with Federal Social Security Regulations was effected under HB 1015. The bill authorizes the Public Welfare Department to extend its program whenever necessary to include the entire range of welfare assistance. It also amends the statutes to do away with the one-year residence requirement for eligibility for public assistance.

A statutory framework under which certain designated persons may in good faith report incidents of child abuse and neglect was created by HB 926. Persons designated are physicians, interns, nurses, teachers, nursery directors, coroners, or peace officers.

Traffic Safety and Motor Vehicles

Traffic Regulation	Included in the work of the 61st Legislature were two amendments to the Texas Motor Vehicle Safety- Responsibility Act. SB 12 authorizes the Department of Public Safety to suspend the motor vehicle license and registration of a Texas resident failing to comply with another state's safety responsibility law while traveling in that state. The other measure, SB 201, provided that certain units of govern- ment may secure motor vehicle liability insurance under the assigned risk plan, but this bill was vetoed by the governor because it was not signed in the presence of members of the legislature.
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Several changes were made in the driver's license and accident report law. SB 78 exempts from the driver's license requirement some of those engaged in service in the armed forces. SB 743 permits one who has had his driver's license suspended to obtain a qualified license if it is necessary for him to pursue an occupation or trade. This "occupational" license may be sought on a verified petition in the district court having jurisdiction within the county of residence. On a hearing concerning suspension or revocation of a driver's license, the judge is given authority by HB 363 to grant probation.

Pursuit of a vocational educational program is enumerated in HB 362 as one exceptional circumstance under which a 15-year-old may obtain a license. HB 749 makes peace officers' reports public records open to inspection after January 1, 1970. Finally, HB 194 concerns the restrictions on licenses for drivers of public or common carrier motor vehicles. The minimum age for operation of public carrier vehicles other

than taxis is now 21; taxi operators must be at least 19 years of age.

Motor Vehicles

Motor vehicle legislation included an antipollution measure, SB 7, which concerns the maintenance and use of exhaust emission systems and their annual inspection. It also increases the motor vehicle inspection fee to \$2. HB 564 prohibits the operation of certain modified or weighted vehicles and makes violation of this law a misdemeanor, punishable by a fine of up to \$50. The prohibited modification is the lowering of a part of the vehicle below the level of the bottom of any wheel rim. HB 947 relates to removal of motor vehicles left without consent in parking lots and places removal or storage expense on the owner of the vehicle.

The permissible length of vehicles and combinations thereof is changed by HB 217. Legal length of motor vehicles is extended from 35 to 40 feet; a combination of vehicles coupled together may now be 65 feet, increase of 15 feet over the previous law.

In order to clarify coverage of an existing law, HB 600 confirms that in-transit licenses may be issued for house trailers, trailers, and semitrailers. HB 104 alters the penalty, raising the maximum fine for each offense from \$50 to \$100, for transporting by motor vehicle for compensation or hire without a Railroad Commission certificate or permit.

Transportation of migrant agricultural workers is the subject of HB 436, and rules and regulations promulgated in the measure are cumulative of existing law; a carrier possessing a certificate of compliance with Interstate Commerce Commission regulations on the subject is deemed to have complied with the Texas Act. Covering this type of transportation where it exceeds a total distance of 50 miles, the new Texas rules and regulations are similar in their persuasiveness to the ICC structure.

SB 507 authorizes automobile clubs and truck and bus associations to issue bail bond certificates in an amount not to exceed \$200. The certificates may not be used in D.W.I. or felony cases, however. In regard to D.W.I. offenses, SB 74 authorizes and regulates the use of chemical tests on motor vehicle drivers to determine intoxication.

HB 768 provides for an increase in the fees and service charge of tax assessors-collectors for issuing license receipts and license plates in the registration of motor vehicles. The new fee structure is as follows: \$65 for each of the first 5,000 receipts (a \$.05 increase); \$55 for each of the next 1,000 (a \$.05 increase); \$50 for each of the balance (old schedule authorized \$.40 for next 10,000 and \$.30 for the

balance). In addition, a \$1 fee is now permitted when registration or re-registration is by mail.

Highways and Public Roads

A highlight of the measures passed by the 61st Legislature was HJR 28, proposing an amendment to Article III, Section 52, of the Texas Constitution. To be voted on by the people of Texas at the general election on November 3, 1970, the amendment would authorize a county, upon approval of a majority of qualified voters, to issue road bonds in an amount not to exceed one-fourth of the assessed valuation in the county.

A related measure, HB 438, validates road bonds voted and authorized under the current version of Article III, Section 52. The validation extends to those bonds authorized but not yet issued. HB 748 authorizes a commissioners court to order such a road bond election in a county upon petition of voters equalling one percent of the number casting votes in the last preceding general election for governor.

SB 82 provides for relocation payments and payment of expenses for those displaced by acquisition of state highway right of way. Further, the State Highway Commission shall provide a Relocation Advisory Service.

HB 526 authorizes expenditures by the Texas Turnpike Authority for study of other turnpike projects. Funds expended shall be regarded as part of the costs of such new projects and shall be reimbursed out of revenue bonds.

Several measures amend the Texas version of the Uniform Act Regulating Traffic on Highways. SB 11 forbids the use of tires with damaging non-rubber protuberance on public highways. HB 12 requires vehicles proceeding on four-lane, divided highways normally to be operated in the right lane of traffic. HB 84 establishes vehicular right of way at all intersections. To take effect January 1, 1970, HB 367 requires vehicles designed to operate at a maximum speed of 25 miles per hour or less to have attached to them a reflecting "slow moving vehicle" emblem. The Department of Public Safety will design and issue the triangular emblem. HB 935 requires that drivers maintain an assured clear distance between vehicles.

Mass Transportation

Among bills concerning common carriers, HB 433 presents the most dramatic change in existing law. Baggage and personal effects of passengers, when transported incident to the carriage of persons, will no longer be protected by common-law duties of public carriers. Rather, a passenger will declare in writing a value of the goods (or an agreed-upon

release value) and the goods will then be transported at rates promulgated by the Railroad Commission. In addition to this legislation, three antiquated railway segregation laws were repealed during the session by House Bills 252, 255, and 257.

Mass transportation problems of urban areas were the concern of two other bills. HB 738 creates a six-man Texas Mass Transportation Commission and establishes its organization, duties, powers, and procedures. HB 1404 grants powers to cities and towns to accept federal grants and loans concerning mass transportation service and to expend funds for research, development, and demonstration projects on transportation facilities and equipment. Revenue bonds may also be issued for financing.

Civil and Criminal Procedure

Recent decisions of the U.S. Supreme Court have declared that juveniles brought before the courts and subject to punitive actions are entitled to counsel in the same manner as adults charged with crimes. SB 207 requires the appointment of counsel for juvenile offenders unable to pay their own attorneys and sets minimum and maximum fees for appointed counsel. These fees are payable from the county general revenue fund.

SB 286 provides that counties with a population over 1.2 million may enter into contracts with bar associations or non-profit corporations or associations to provide timely and efficient counsel to persons charged with crimes and who are unable to pay the attorney of their choice. The act also provides that these counties may contract for investigation services to aid the court in determining bond for persons accused of crimes.

HB 541 sets the fee for a counsel appointed to represent indigents in habeas corpus hearings at not less than \$25 nor more than \$50 for each day in court.

Two laws relating to procedure in cases of insanity were enacted by the 61st Legislature. HB 1088 authorizes the court, upon application of an accused, to hold a hearing to determine the sanity of the accused at that time. Previously this determination was required to be made during the trial on the question of guilt or innocence. SB 569 provides a new procedure for release from a mental hospital by a person acquitted of a crime by reason of insanity and committed to a mental institution. The act authorizes the inmate to initiate release proceedings by requesting a court hearing to determine sanity.

The pay of a juror in justice court was raised to \$3 a case and a maximum of \$6 per day for both civil and criminal cases under HB 398. Firemen and policemen are authorized by HB 187 to receive payment for appearances in court as witnesses when the state is party in interest. Payment is provided at the regular employment rate received by the fireman or policeman while on duty.

Two changes were made concerning corporation courts. HB 1053 changed the name of the corporation court to municipal court. Under HB 758 the recorder of the corporation court is required to read the charge to the jury when requested to do so in writing, and the judge of the corporation court is authorized to give directed verdicts of "not guilty" when the evidence so warrants.

HB 51 authorized courts of civil appeals to issue writs of habeas corpus for release of persons held for violating an order, judgment, or decree of a court in connection with cases involving divorce, wife or child support, or child custody.

HB 707 authorizes the admission as evidence in a trial certain records which have in the past been admissible only when the prerequisites for admission are shown during the trial by testimony of witnesses. This act allows the prerequisites for admission to be made by affidavit rather than by actual court testimony. The act also permits certain x-rays to be introduced by affidavit and sets out the form of affidavit which must be used.

HB 709 prohibits the admission of evidence showing a partial settlement of a claim for property damage or medical expense during a trial for damages for personal injuries.

HB 108 establishes a new statute of limitations requiring that actions against a licensed architect or engineer to recover damages resulting from negligence in the design, planning, or inspection of a structure be brought within 10 years after the completion or substantial completion of the work performed. The 10-year limit may be extended by two additional years if a written claim is submitted to the architect or engineer within the 10-year period.

Counterclaims or cross claims may be made under HB 339, regardless of the effect of the statute of limitations, if the claim is made within 30 days of the time the answer to the petition is due and if the claim arose out of the same transaction or occurrence that is the subject of the opposing party's claim.

When requested by the State Department of Public Welfare or the court, the prosecuting attorney is required to represent a plaintiff in an action under the Uniform Reciprocal Enforcement of Support Act. HB 1086 redefined the "prosecuting attorney" to be the criminal district attorney or county attorney, or district attorney where there is no criminal district attorney or county attorney.

HB 1132 authorizes the attorney general of Texas to bring suit on behalf of the state, a political subdivision, or other tax-supported institution to recover damages resulting from violations of the federal antitrust laws. This act enables suits of this kind to be tried in one consolidated action by the attorney general.

In a suit to collect on a payment bond executed by a private contractor, the complainants are authorized to collect a reasonable attorney's fee. HB 753 allows recovery of an attorney's fee in a suit against a public contractor.

SB 611 was proposed to clear certain confusion concerning the authority of a custodian to receive property conveyed as a result of the dissolution of a corporation. There was doubt as to whether the custodian could administer these properties if the beneficial owner is a minor and no guardian is appointed. The act authorizes a custodian to receive and manage a minor's share of property received in the dissolution or liquidation of a corporation.

The United States Supreme Court has held that a fire or health inspector must acquire a search warrant before he is authorized to enter dwellings without consent. HB 643 allows fire marshals and health officers in Texas to be issued the necessary search warrants.

SB 779 amends Article 49.01, Code of Criminal Procedure, 1965, to allow the corporation court judge, the county judge, and the judge of the county court at law to hold inquests when the local justice of the peace is unavailable. Prior law allowed only other justices of the peace to act in the absence of the local officer.

Texas law has required all divorce cases to be tried in the county in which they were filed. In some uncontested divorce cases which were filed in counties making up part of a multi-county judicial district, this requirement created hardship because the trial would have to be delayed for several months until the judge returned to the county. HB 769 corrects this situation by allowing uncontested divorce cases to be heard in any county of a multi-county judicial district in which the suit is filed.

The Texas Tort Claims Act (HB 456) provides in general that all units of government are liable for damages for personal injury and death when caused by negligence of a public employee acting within the scope of his employment. The injury must arise out of the use or operation of a motor-propelled vehicle or motor-driven equipment, the operation of flood gates, or from the use of tangible personal property. Units of government liable include all state agencies, departments, counties, and cities. The limit of liability is \$100 thousand per person and \$300 thousand per occurrence. Section 14 of the Act includes a list of exceptions.

Criminal Law

The increase in the incidence of violent crimes involving the use of firearms prompted the 61st Legislature to consider several approaches in dealing with offenders. SB 135 provides that felons who have been convicted of violent crimes may not possess a prohibited weapon or a firearm having a barrel of less than 12 inches except on the premises where he lives. The act amends Article 489c, Vernon's Texas Penal Code, which previously applied only to firearms capable of being concealed. In addition to increasing the scope of the crime, the penalty is doubled to a term of a minimum of two years and a maximum of 10 years imprisonment.

HB 403 prohibits the display of prohibited weapons by dealers in windows, showcases, or on signs and advertisements which can be seen from outside the business establishment in which the weapons are sold, but this measure was vetoed by the governor because he felt that if a merchant is permitted by law to possess, purchase, and sell such items he has the right to display them at his discretion.

SB 417 amends Article 341, Penal Code of Texas, 1925, to provide that a person who resists arrest, apprehension, or investigation by a peace officer and uses a firearm during the resistance is guilty of a felony and subject to from 2 to 10 years imprisonment.

In response to campus disorders the legislature enacted a new statute (HB 1450) which prohibits the exhibition or use of a firearm to interfere with the use of any building or campus of a higher educational institution or vocational or technical school. Violators of this act are subject to felony punishment.

By HB 472 the punishment for shooting on a public road is increased from a maximum fine of \$100 to \$200, and a minimum fine of \$50 was added for violations of Article 480a, Vernon's Texas Penal Code.

Under The Federal Gun Control Act of 1968, a person is prohibited from purchasing firearms in a state in which he is not a resident unless the state of residence specifically authorizes purchases of firearms in adjoining states. In order to comply with the federal law, SB 94 authorizes Texas residents to purchase firearms and related material, such as ammunition, in states having contiguous borders to Texas.

The 61st Legislature made a thorough study of the problems of obscenity and enacted three laws further defining and expanding state regulation and control of the distribution of obscene materials.

HB 235 prohibits the sale and distribution of all forms of obscene materials, including obscene motion pictures. In the past, most movies were exempt from obscenity regulations.

SB 661 specifically prohibits the sale or other distribution of certain obscene materials to minors under the age of 18. In addition, SB 660 includes under the definition of a disorderly house, any theater or other structure where obscene pictures are shown to persons under the age of 21.

The growing problem of narcotics and dangerous drug use was recognized by the 61st Legislature and several drug laws were passed in an attempt to control the problem. HB 142 corrected and reenacted the "LSD Bill" of the 60th Legislature which was declared unconstitutional by the Texas Court of Criminal Appeals. The new act also authorizes the issuance of search warrants for apprehending sellers and possessors of dangerous drugs. Members of the Native American Church are exempted from the prohibition against the possession of peyote.

HB 392 increases the punishment for giving or furnishing narcotic drugs (including marijuana) to another without consideration.

HB 760 provides that a person is not excused for the commission of a crime because of intoxication or insanity caused by the use of dangerous drugs. The act merely places dangerous drugs (including LSD) in the same category as narcotics and intoxicating liquor.

HB 1005 provides for the mandatory commitment of persons addicted to the use of narcotics and gives a highly-detailed commitment procedure.

The drug problem was attacked through preventive legislation also. HB 467 directs the Central Education Agency to develop courses to be taught on the dangers of crime and drug abuse. This act also creates the Crime and Narcotics Advisory Commission to assist the Education Agency.

Acting positively in response to the threat of riots and other civil disorders, the 61st Legislature amended the old disturbing-the-peace statute (held unconstitutional by a federal court) to create a new disorderly conduct law by enacting HB 57.

HB 417 prohibits assaults on peace officers with intent to murder and provides a maximum sentence of life imprisonment. SB 143 prohibits persons from interfering with law enforcement officers, firemen, ambulance attendants, or other emergency personnel when these persons are in the exercise of functions intended to control, reduce, or contain injury to persons or property during a riot, civil disturbance, or public disaster.

To prevent discrimination against the blind or physically handicapped in their use of public facilities or public transportation, the 61st Legislature passed SB 751. The act provides that any person requiring the use of white canes, dog guides, or other devices of assistance for the handicapped shall not be denied the use of public facilities or denied acceptance as a passenger on any vehicle of public transportation operating within the state. The measure also provides that such persons cannot be required to pay additional fares on public transportation due to their use of special assisting devices. Penalties are provided, with violation of the section of the act relating to discrimination considered a misdemeanor punishable by a fine of not less than \$100 nor more than \$300. Provision is also made for the handicapped person who has been deprived of his civil liberties to be entitled to maintain a cause of action for damages in any court of competent jurisdiction. In addition the measure provides penalties for improper use of a dog guide, with violation deemed a misdemeanor punishable upon conviction by a fine of not more than \$200. Further, the governor is authorized to proclaim each October 15 as "White Cane Safety Day" as a means of publicizing provisions of the act.

HB 795 regulates certain conduct on parking lots and access ways used for the convenience of customers, clients, or patrons of business establishments and public offices. The act prohibits disturbances by persons in motor vehicles and certain conduct by persons not in motor vehicles. Littering and loitering are also prohibited.

Family Law

The Family
Code

The first title of the proposed
Family Code was enacted by HB 53.

The first title codifies the marriage
and divorce laws. The second title will cover juvenile law
and is scheduled for introduction at the next regular session.

Major changes embodied in HB 53 involve placing greater restrictions on marriage and adding a non-fault ground for divorce--"the marriage has become insupportable because of discord or conflict of personalities that destroy the legitimate ends of the marriage relationship and prevents any reasonable expectation of reconciliation."

SB 464 allows suits for divorce to be brought in any other county within the same judicial district as the county in which the plaintiff resides.

Juveniles and	HB 681 grants to minors the capacity
Juvenile	to consent to examination and treatment
Delinquency	by a licensed physician for any
	venereal disease. This removes the
necessity for parental consent for such treatment.	

HB 533 permits the release of information on felony-grade juvenile cases to agencies responsible for implementation of the federal Omnibus Crime Control and Safe Streets Act of 1968. Duty is imposed on officials to release information when a child is charged with violation of a felony-grade offense if the child has previously been declared delinquent. The bill allows open hearings and open court records in these cases.

SB 207 provides for the employment and appointment of counsel for juveniles by requiring the court to order the person responsible for the child to employ counsel for the child if able or by requiring the court to appoint counsel for the child if the person responsible for him is too poor to employ counsel. Payment of appointed counsel is to be made from the general fund of the county according to a fee schedule set out in the bill.

Transcription of reporter's notes in juvenile delinquency proceedings and transcription without charge if the child or person responsible for the child is unable to pay are provided by SB 206. HB 47 allows the removal of disabilities of a minor for the purpose of becoming a peace officer.

The sale or distribution of harmful materials to minors is prohibited by SB 661, and civil and penal remedies are provided.

HB 94 authorizes a judge to change the date of an adoption hearing upon a showing of good cause and notification of the State Department of Public Welfare.

New juvenile boards were established for a number of counties and the compensation of members of several existing boards was increased.

The Probate
Code

A limited revision of certain sections of the Probate Code has been accomplished by SB 9. Conflicts between existing sections and unnecessary language have been removed.

SB 272 increased the amount of entire assets of the estate, not including homestead and exempt property, to which trustees of an estate are entitled without awaiting the appointment of a personal representative. The increase is from \$1,000 to \$2,500. SB 274 increased from \$500 to \$1,500 the maximum to be paid by the county clerk for withdrawal by the creditor minor on a small estate.

Venue of cases where appointment of guardians is necessary for a minor when both parents die simultaneously in a common disaster is provided for in SB 337. A natural or adoptive parent of a minor may apply for a court order to sell property of the minor valued at less than \$1,500 under the terms of SB 484.

SB 437 allows retrieval and delivery by court order of certain documents contained in a safety deposit box of a decedent.

A new section has been added to the Probate Code by SB 595, which allows corporate guardians to make certain investments authorized by either the Texas Trust Act or the Uniform Common Trust Fund Act.

HB 1097 changes the definition of estate contained in the Probate Code to include property to be distributed to the representative of the decedent from a trust which terminates upon the decedent's death. The act also provides for passage upon death of all powers of appointment granted in the decedent's will.

SB 471 declares that instruments creating several property interests shall not be completely invalid if only part of the instrument violates the Rule Against Perpetuities and provides for the reforming of any interest which violates the rule, to give effect to the intent of the creator if that intent can be determined.

Courts and Court Officers and Employees

Judges

Three bills were passed amending the Judicial Retirement Act. HB 680 provides that time served in the legislature shall be credited to the length of service for retirement purposes under the Judicial Retirement Act. SB 849 decreases from 10 to 7 the number of years necessary to qualify for disability benefits and provides for loss of benefits if the disability results

from intemperate use of alcohol or narcotics. SB 389 decreases from 16 to 12 the number of years of service required for retirement benefits and changes the base upon which benefits are figured from the salary at retirement to the salary currently paid to judges of the same class.

HB 895 amends the Civil Judicial Council Act to broaden its powers by authorizing the council to hold hearings and issue subpoenas. The act clarifies the duty of court officers to submit reports and also clarifies the method of appointment of council members.

Courts

A number of new courts were created. HB 292 creates a new district court for Duval, Jim Hogg, and Starr counties, and a new district attorney to serve the court. A new district court is created in McLennan County by SB 425.

SB 585 was passed to create 27 new district courts in various counties, but this bill was among those vetoed by the governor because it was not signed in the presence of both houses of the legislature.

Courts of domestic relations for Tarrant and Harris counties were created by SB 312 and HB 221, respectively. A third court of domestic relations in Harrison County was provided for by HB 1337, but this measure was vetoed by the governor since the bill provided that the court "shall not become effective until the Commissioners Court of Harrison County enters an order adopting it" and provided, in addition, that the "commissioners court may by order abolish the court created under this Act, the order to be effective at the end of any specified term of office of the judge." The governor explained in his veto message that the constitution provides that a court of domestic relations can be created or abolished only by law, and that the constitution vest the power to enact laws exclusively in the legislature.

Additional legislation pertaining to domestic relations courts was enacted by HB 234, which amends Article 2338-17, Vernon's Texas Civil Statutes, relating to the domestic relations court of Taylor County.

County courts at law are created in El Paso and Denton counties by SB 497 and HB 649. HB 1288 grants general jurisdiction in probate matters to the county court at law of Cameron County.

SB 724 creates a new juvenile court for Dallas County, and certain provisions relating to transfer of cases in Dallas County courts are specified in SB 795.

HB 445 grants jurisdiction for eminent domain proceedings to the 76th District Court and removes it from the county court of Morris County. SB 271 changes the name and jurisdiction of the probate court of Harris County. HB 868 authorizes administrative assistants for certain Dallas County courts.

Terms and jurisdiction of certain courts are amended by HB 713, HB 1361, HB 1386, and HB 1446.

Court Officers,
Attorneys

HB 279 provides for the suspension of attorneys during the period of appeal from a disbarment proceeding.

Juries

Five bills dealing with juries were passed. HB 398 increases the pay for jurors in justice courts to \$3 per case and \$6 per day maximum from the old rate of \$1 per case and \$2 per day maximum. SB 424 deletes from the list of requirements for jury service the freeholder or householder requirement. HB 405 and HB 488 add to the list of counties using jury wheels. The fifth measure, HB 866, authorizes counties with seven or more district courts to use mechanized or electronic means to select jurors.

Education

Public
Schools

The 61st Legislature set out to recodify the Texas education law, raise teachers' pay, and enact various recommendations of the Governor's Committee on Public School Education.

HB 534 adopted the Texas Education Code. The education code is a recodification of the existing statutes dealing with public education except those pertaining to senior colleges and universities, which remain to be codified. The Texas Education Code was compiled by a subcommittee appointed by the Governor's Committee.

The annual school census has been abolished by HB 338, but the census will be taken at five-year intervals. Distribution of the per capita apportionment will now be on the basis of average daily attendance.

The Teacher Retirement System was revamped by HB 241. All laws pertaining to teacher retirement are compiled in this act and brought up-to-date. A main feature of the act is the removal of the \$8,400 salary limit on which members may make contributions to the system. SB 498 allows local school boards to set a retirement age for professional and supportive personnel.

Bills to aid teachers were noticeably present during the regular session. A sick leave policy for all teachers employed in the public schools has been enacted by HB 276. SB 199 provides for a daily defined planning and preparation time for every teacher actively engaged in the instruction of children. HB 240 raises teachers' and administrators' salaries and provides for a state-supported kindergarten program. The salary schedule has a 5-percent experience increment for all 10 years covered by the act. Positions for the proposed 18 pay grades are spelled out, and automatic increases in salary of \$600 in 1974 and \$660 in 1978 are authorized for all professional personnel, regardless of degree or experience. Under the measure, teacher aides will be added on a ratio of one for each 20 classroom teachers, beginning in 1970-71. The ratio of pupils to classroom teachers will be reduced from 26-1 to 25-1 for districts above 1,600 average daily attendance in 1970-71, and the operating allowance will be increased to \$660 per teacher in 1970-71. Allocation of professional personnel is to be based on current average daily attendance without regard to race, creed, or color, beginning in 1969-70. The act also authorized a new study committee to restudy the economic index and local fund assignment formulas.

A code of ethics and standard practices and a "Teachers' Professional Practices Commission" have been created by HB 32.

The Central Education Agency has been charged by SB 8 with establishing and administering a program of student teaching. Financial assistance is provided for schools participating in the program.

Two bills that were passed dealt with bilingual education in the public schools. HB 103 allows the governing body of the school district or school to determine the circumstances under which bilingual instruction may be given. A program for non-English speaking children is authorized by HB 161, with the effective date of September 1, 1970.

Several bills dealing with education and training for deaf children were passed. HB 897 allows the Central Education Agency to contract with private schools for the deaf to provide for education and training for certain deaf children. Establishment of special day schools for deaf scholastics in some counties is authorized by SB 851, and multi-county day schools for the deaf are authorized by HB 434, for the school year 1969-70, and thereafter.

A course in grades 5 through 12 on the evils of crime and narcotics will be taught in the public schools after September 1, 1970, under the terms of HB 467. The penalties have been increased by HB 1074 for parents or guardians who willfully fail to require their child or ward to attend school regularly after written warning.

Obsolete laws relating to segregation of teachers or pupils were repealed by HB 250, HB 254, HB 258, and HB 914.

School districts wishing to experiment with three-semester programs in schools that operate 12 months may now instigate pilot programs and receive financial assistance from the state under HB 613.

A program of financial assistance for computer services to school districts through Regional Education Service Centers is authorized by SB 684.

SB 435 authorizes parental transfers of students from one district to another with the approval of the receiving district.

A number of bills were passed during the session dealing with exceptional children. SB 635 includes educable mentally retarded pupils as exceptional children under the law providing transportation for exceptional children. Pregnant girls who are residents of or under the care of licensed maternity homes are included under SB 112 under the definition of exceptional children eligible for special education. Education for exceptional children is greatly expanded as to eligible children, between ages 3 and 21, and professional personnel by SB 230.

Blind and deaf children have been removed from the list of those exempt from compulsory school attendance by SB 208. SB 759 establishes an advisory council for the study and research of the problems of children with learning disabilities, but the bill was vetoed by the governor because it was not signed in the presence of members of the legislature.

An Advisory Council for Technical-Vocational Education has been created by SB 261 to coordinate and develop programs for technical and vocational training in state educational institutions. HB 263 broadens the Foundation School Program to provide for improved vocational education and supportive vocational unit personnel.

Creation of a Commission for Rehabilitation was the subject of SB 110. The purpose of this commission is to provide rehabilitation and related services to eligible handicapped persons. HB 287 extends rehabilitation services, including contracting for extended sheltered workshop employment opportunity and extended community residence. SB 26 prevents tuition charges on resident handicapped children between the ages of 6 and 21, and provides eligibility for and allotment of vocational teacher units to rehabilitation districts beginning September 1, 1969.

SB 35 authorizes the Board of Corrections to establish and operate schools at the various units of the Department of Corrections.

Colleges and
Universities,
Technical Training

One of the major accomplishments of the 61st Legislature was the creation of much-needed upper level institutions of higher education. To meet the need in Texas for nurses, doctors, and dentists, The University of Texas (Undergraduate) Nursing School at El Paso (SB 394), The University of Texas (Clinical) Nursing School in Bexar County (HB 75), The University of Texas Dental School at San Antonio (HB 79), The University of Texas Medical School at Houston (HB 80), a medical school at a site to be determined by the Board of Regents, The University of Texas System (HB 80), and the Texas Technological College School of Medicine at Lubbock (HB 498), were created. In addition, the coordinating board has been authorized to contract with Baylor University College of Medicine or Baylor University College of Dentistry for education of Texas resident medical or dental students, according to the terms of HB 586.

Senior colleges and universities were established by: HB 42, creating The University of Texas at San Antonio; HB 157, creating The University of Texas of the Permian Basin; HB 303, creating The University of Texas at Dallas; and HB 607, establishing a branch of Texas A&I University at Laredo.

Establishment of a junior college district in Hardeman County was authorized by HB 1018. Through population and property valuation bracket provisions, establishment of a junior college district in Harris County upon approval by the voters was authorized by SB 790. The criteria for creation of union junior college districts and county or joint county junior college districts were updated by SB 491. An additional class of counties which may establish junior colleges was added by HB 490.

SB 415 enacted name changes for a number of schools, changing the name of Stephen F. Austin State College to "Stephen F. Austin State University," the name of Sam Houston State College to "Sam Houston State University," the name of Southwest Texas State College to "Southwest Texas State University," the name of Sul Ross State College to "Sul Ross State University," and the name of Angelo State College to "Angelo State University." The name of Texas Technological College was changed to "Texas Tech University" by HB 923.

Another step in reorganizing the state's colleges and universities was the transfer of control of several schools from the Board of Regents, State Senior Colleges, to separate boards of regents. West Texas State University will now be governed by the Board of Regents, West Texas State University, under

terms of SB 93. Stephen F. Austin State University was given its own board of regents by SB 416 but the bill was vetoed by the governor because of conflicting provisions in the number of members. East Texas State University received its own board of regents under HB 242; James Connally Technical Institute has been renamed "Texas State Technical Institute," and control is transferred from the Board of Directors of Texas A&M University to a separate board of regents by HB 137. It will be a three-campus complex located in Waco, Harlingen, and Amarillo.

In line with the mood of furthering law and order, the legislature passed a number of bills which deal with colleges and universities. HB 141 prohibits engaging in disruptive activities or disrupting a lawful assembly on the campus or property of any public or private school. Exhibiting or threatening to exhibit firearms on the campus of any public or private school is prohibited by HB 1450. Acquisition, disposition, creation, or alteration for fraudulent purposes of documents and instruments used or conferred by institutions of education are prohibited by SB 302.

The changes in the workmen's compensation laws made by the reform bill (SB 64) were extended to employees covered by the statutes providing workmen's compensation for the Texas A&M University System under SB 543 and The University of Texas under SB 664.

Faculty development leaves have been extended to faculty members of public junior colleges by SB 280.

Enabling legislation, (SB 535) in anticipation of passage of the proposed Amendment No. 8 (HJR 50) to the constitution, raises the limit to \$285 million on the amount of Texas College Student Loan bonds that the coordinating board may issue.

SB 399 authorized the governing board of each state-supported senior college and university to issue revenue bonds to acquire, construct, or equip facilities. The governing board of any state-supported institution of higher education may now deposit all funds in a single bank account under the terms of SB 303.

School districts are authorized by HB 1063 to furnish transportation to and from the nearest college or university for residents of the district enrolled at the college or university. Public authorities may be created to assist in acquisition, construction, and improvement of educational and housing facilities for private institutions of higher education, according to HB 1233.

SB 528 extends the Optional Retirement Program to the Coordinating Board.

HB 3 makes certain changes in determining resident and non-resident status of persons enrolled in state-supported institutions of higher learning.

Public authorities may be created under the provisions of HB 1233 for the purpose of assisting private institutions of higher education in the acquisition, construction, and improvement of educational and housing facilities. Such authorities are permitted to issue bonds or to accept grants in order to fulfill their purposes.

Cities and Counties

A liberal, but optional, expansion of the Texas Municipal League's retirement program was authorized under HB 122. The bill is part of a volume of legislation enacted pertaining to local government. A majority of the bills were bracket legislation designed to apply only to a single county or municipality.

Highly significant among the general legislation applying to local government was HB 122, which permits municipalities, at their option, to provide and grant special prior service credits to employees after they retire and to provide antecedent service credit to employees who subsequently retire. The interest rates used in calculating benefits may be increased .5 percent to 3 percent. The measure also permits any city to grant vesting in retirement after 20 years of service and establish eligibility for retirement after 25 years of service when an employee reaches age 50. Another section permits cities to increase prior service credit to either 12.5 percent or 15 percent instead of the prior 10 percent. This would increase benefits payable on account of such service. Also included in the measure is a provision to allow any city to match previous contributions for current service at 1 1/2 to 1 or 2 to 1 instead of 1 to 1 as currently allowed.

SB 167 authorizes members of commissioners courts to spend county money for membership fees in nonprofit state associations or organizations. The bill, which would permit the use of county funds for membership in an organization that could lobby with the legislature, was written to provide that such association or any employee thereof cannot directly or indirectly attempt to influence legislation. It also forbids such an association from contributing to a political campaign or endorsing a candidate for public office.

Several validating acts were passed. They included:

--SB 775, which validates the actions of governing bodies of towns and cities in relation to public improvements such as civic centers. The measure was specifically concerned with the issuance of revenue bonds.

--HB 55, validating the incorporation and charter amendment proceedings of cities and towns, including home-rule cities, that were incorporated or attempted to incorporate previously under the constitution or general laws of Texas.

--HB 449, validating and legalizing all special assessments and reassessments for street or highway improvements levied by all cities against properties abutting their streets or highways. The act does not validate nor apply to any assessments or reassessments for street improvements or utility improvements.

HB 365 provides that commissioners courts of counties of 20,000 or more population may authorize payroll deductions from employee's wages to pay membership dues in labor unions, employee's associations, or to a credit union. Participation would be voluntary.

Interstate cooperation was improved under HB 912. It permits any city which borders on a state line and which is separated from a city in an adjoining state only by that line to cooperate with the adjoining city in furnishing governmental services.

A damage judgment against the city of Brady brought about the enactment of HB 980 which allows cities in such a situation to sell bonds for the purpose of securing money to pay cash judgments or decrees entered against them.

As of July 1, the Texas Clean Air Act prohibits the open burning of trash and other waste material. HB 1367 was enacted to allow commissioners courts in ~~counties under 500,000 population~~ ^{any county} to establish and maintain disposal facilities and issue revenue bonds to finance such programs without an election. It also provides for the charging of fees to retire the bonds.

The provisions of SB 233 enable one county or municipality to, in effect, lend the services of its law enforcement officers to another county or municipality whenever "there exists in such other county or municipality a need for the services of additional law enforcement officers to protect the health, life, and property of such other county or municipality, its inhabitants, and the visitors thereto, by reason of riot, unlawful assembly characterized by the use of force and violence, or threat thereof by three or more persons acting together or without lawful authority, or during the time of natural disaster or man-made calamity."

A need to change the law in order to facilitate the expansion of services provided for in Texas Revised Civil Statutes, Article 1110c, was taken care of in HB 1002. The measure amends the article to permit cities of less than 900,000 population to have the services provided for under the original act.

In the past, despite a constitutional prohibition, many bracketed salary bills have been passed for county employees. HB 1052 was passed to comply with the constitution and save the time and expense necessary to pass such bills by requiring county commissioners courts to set the salary of all county and precinct officers and employees, except the county judge and the commissioners. It also provided that the salaries set may not be less than those paid on the effective date of the act. However, HB 1052 was vetoed by the governor because he felt that district courts should be free from control by those on whose acts they may be required to pass judgment.

A population requirement of 350,000 before cities could enter into joint ventures was eliminated by HB 566. The bill also allows cities or other governmental entities to enter joint agreements with cities or governmental entities in other counties. In addition, the measure requires the condemning authority in eminent domain proceedings to bear the cost of any required changes in certain existing facilities.

Aviation and Airports

Three of the four bills passed dealing with airports were of a strictly local nature. Texas A&M University, by the provisions of HB 188, is authorized to lease the airport it presently operates in Brazos County to any governmental organization. HB 189 creates the Brazos County Airport Authority. The San Patricio County Navigation District No. 1 may acquire and operate a public airport under the provisions of HB 504.

The act establishing the Texas Aeronautics Commission and defining its duties was completely rewritten with the passage of HB 823; most of the changes effected, nevertheless, were completely technical and nonsubstantive, improving the language and bringing the act up to date with current legal standards. There were two substantive changes, however, in Sections 1(e) and 6.3(f). Heretofore an air carrier could make three or more regularly-scheduled out-of-state flights per week and be classified as an interstate carrier even though he was not certificated nor regulated by the federal Civil Aeronautics Board. Section 1(e) redefines the phrase "air carrier" to include all those who fly commercially in Texas and are not certificated by the CAB.

Prior to the passage of HB 823 the only enforcement tool possessed by the Texas Aeronautics Board was its power to cancel licenses. Section 6.3(f) grants the board--as well as the

attorney general or any county or district attorney--the additional power to bring suit for civil damages up to \$100 per day for each day of violation.

Agriculture

The dominant theme of the 61st Legislature's actions in the field of agriculture was the protection of the consumer. The most significant measure in this area is SB 28, which provides for the mandatory inspection and regulation of the slaughter of cattle, sheep, swine, goats, equines, poultry, domestic rabbits, and domesticated game birds, and the preparation and sale of the carcasses, parts thereof, and meat and food products of such animals. SB 28 has its genesis in the Wholesome Meat Act of 1967, which was enacted by the Congress and signed into law by President Johnson on December 15, 1967, and which has far-reaching implications for the entire meat, poultry, food service, and livestock industry. This law provides not only for major revisions in federal meat inspection programs, but it also spells out details for a federal-state cooperative program under which all meat packing, poultry, and processing plants will be placed under governmental supervision. Under the federal act, the individual states have two years in which to bring their meat inspection programs to standards "at least equal to" those of the federal government. If a state fails to act, the federal government will take over all meat and poultry inspection services within that state. Thus, the Texas Meat & Poultry Inspection Law, contained in SB 28, retains regulation in Texas.

Another measure specifically directed at consumer protection is HB 107, which relates to the grading, classification, and sale of eggs; provides more stringent labeling requirements for eggs sold in this state; and imposes an inspection fee of three cents per case (30 dozen eggs), such fee to be collected on the first sale, use or change in form of the eggs in this state. The proceeds of this fee are to be used to administer and enforce the egg laws of the state.

Notwithstanding the emphasis on consumer protection, the farm workers themselves were not overlooked by the 61st Legislature, there being two significant bills passed for their economic betterment and protection. HB 156 is the new Texas Minimum Wage Law and workers other than those employed on the smallest farms are included under its terms.

A recent tragedy involving the deaths of two migrant agricultural workers during transportation within this state graphically underscored the need for HB 436, which adopts rules and regulations governing the transportation of such workers. Among the provisions of this act designed to promote the safety of such workers are requirements relating to qualifications of

drivers, safe loading and unloading procedures, condition of vehicles, and rest and meal stops for the passengers.

Another agricultural measure which might best be classified as a "public health" law is HB 293, which prohibits the feeding of garbage to swine without first securing a permit from the Texas Animal Health Commission. However, this law does not apply to an individual who feeds to his own swine the garbage from his own household, farm, or ranch.

The 61st Legislature also passed two bills affecting fish farms, a rapidly developing agricultural pursuit in Texas. HB 733 directs the Parks and Wildlife Department to license fish farms and fish-farm vehicles and to collect fees therefrom. HB 957 is a protection measure for the fish farmer in that it prohibits the taking of his fish without his consent and provides a penal sanction for such action.

In the area of regulation of the sale, use, and transportation of herbicides, the legislature passed bills exempting certain counties from the operation of the Herbicide Law because it was found that no crop or vegetation of value susceptible to damage existed in such counties. In SB 229, the legislature also redefined the term "dealer" in order to exempt from the provisions of the Herbicide Law those dealers selling herbicides "for lawn use only."

Mental Health and Mental Retardation

The 61st Legislature was particularly cognizant of the needs of the mentally ill and mentally retarded in our society and various measures were enacted to expand this important area of service to the citizens of Texas. The total appropriation for the Department of Mental Health and Mental Retardation and all member agencies throughout the state was \$93,417,351 under SB 58, an increase of \$10 million over the appropriation enacted by the 60th Legislature. (SB 58 was vetoed by the governor.) Included in this allocation was \$7.5 million for an extensive building repair program, and under HB 664, the Mental Health and Mental Retardation Department has full authority for the construction of these facilities, removing this authority from the State Building Commission. Also included in the appropriations for this department under SB 58 was over \$3 million for contract agreements, for grants-in-aid, and for the implementation of community mental health centers, an important enactment which would enable persons with mental problems to receive professional treatment on an outpatient basis in facilities nearer their homes.

HB 423 created an Interstate Compact on Mental Health, enabling mentally ill or retarded persons to be eligible for treatment in the facilities of other member states in the compact. A

patient may also be transferred from a Texas institution to one of these member facilities if it is considered that he may receive better treatment. In this same line of making mental health services more readily available to those in the greatest need, HB 213 makes it possible for the director of a mental hospital to transfer persons under voluntary commitment in a mental hospital to a state school, when this transfer would be in the best interest of the patient and when both institutions are under the Mental Health and Mental Retardation Department. HB 212 provides for a transfer from a state school to a mental hospital under these same conditions.

Mentally retarded pupils are now included as exceptional children under SB 635 and may receive a \$150 allotment for transportation to and from their respective schools. SB 465 is a clarification of state and local responsibilities under the Mental Health and Mental Retardation Act. All of the facilities under the direction of this act are listed and the respective agencies' authority to establish and operate community centers, the powers of their governing boards, and their eligibility to receive grants-in-aid are given clarification.

A new mental health and retardation facility will be constructed at Leander, Texas, under SB 187. Permanent buildings will be constructed for the severely ill and retarded, as well as cabin-type buildings and camping facilities for youthful and active patients.

Public Health and Hospitals

Public Health

Eight public health measures were enacted in the area of pollution of air and water. SB 5 amends the Texas

Penal Code by forbidding the emission of air contaminants and by punishing such forbidden emission as a misdemeanor with fines ranging from \$10 to \$1,000. Under the statute, provision is made for issuance of a variance order by the Texas Air Control Board. SB 6 amends the Texas Penal Code by providing for criminal prosecution of individual and private corporations polluting the waters of the state or violating waste discharge permits or orders. Penalty for violation, a misdemeanor, is a fine of \$10 to \$1,000. SB 7 provides for regulation of the maintenance and use of exhaust emission systems on motor vehicles by requiring specific anti-pollutant equipment on motor vehicles and registration inspection certificates which approve that equipment. This measure not only institutes the use of anti-pollutant equipment on motor vehicles in Texas but also brings Texas within the requirements of the United States Motor Vehicle Air Pollution Control Act.

SB 48 amends and revises the Clean Air Act of Texas by making minor changes in the structure of the act and the qualifications for members of the Texas Air Control Board with the purpose of

providing more effective control of the quality of the air resources of the state.

The Texas Solid Waste Disposal Act (SB 125) regulates the control and disposal of solid waste. It prescribes duties of the Department of Health, the Texas Water Quality Board, counties, cities, and other political subdivisions that may have jurisdiction over the control of solid waste materials. Improper disposal of solid waste or violation of any rule, regulation, or other order of the Department of Health, Texas Water Quality Board, or political subdivisions exercising authority in the area of disposal of solid waste are punishable by a civil fine of not less than \$50 and not more than \$1,000. SB 488, a companion to SB 125, amends certain sections of the Regional Waste Disposal Act. It redefines some terms, enlarges some powers of river authorities to allow them to develop regional water control management plans, authorizes the issuance of bonds to finance water control plans, and enlarges contractual powers of public agencies and river authorities.

The Injection Well Act (SB 138) provides for issuance of permits for disposal of wastes arising from drilling for the production of oil or gas and transfers regulatory functions from the Texas Water Development Board to the Texas Water Quality Board. The act also provides for the validation of permits and orders issued by the Texas Water Development Board and requires the transfer of certain records. SB 225 establishes the Gulf Coast Waste Disposal Authority to prevent water pollution in Chambers, Galveston, and Harris counties.

Under recent United States Supreme Court decisions (Camera v. San Francisco, and See v. Seattle) it is necessary for fire marshals and health officials to obtain search warrants before inspecting any specified premises. There were no provisions in the Texas Code of Criminal Procedure for the issuance of warrants on probable cause to fire marshals or health officers, and HB 643 was enacted to provide for issuance of such warrants and bring Texas criminal procedure in line with the supreme court decisions.

SB 799 amends the law regulating the importation of milk products in Texas to bring raw milk products and milk products for pasteurization shipped into Texas under the regulation already in effect pertaining to pasteurized milk or raw milk for pasteurization.

In other health legislation, SB 150 provides for regulating the business of processing bodies of dead animals and the licensing of those engaged in the rendering business. HB 1066 amends Article 2372m, relating to regulation and control of rabies epidemics, by allowing county commissioners courts to establish regulations to prevent the danger of a rabies epizootic in the unincorporated areas of the county. Measures which may be taken

by the county commissioners courts are listed as (a) rabies quarantine and removal of animals; (b) registration after vaccination by four months of age of all dogs unless registered within a city; (c) impounding of unregistered dogs; and (d) fees for registration. Stronger city ordinances may supersede county regulations.

Hospitals and
Hospital Districts

Pursuant to Article IX, Section 9,
Texas Constitution, the 61st Legis-
lature authorized the creation of 20

new hospital districts contingent on a majority vote of the qualified property-holding voters of each district. Once a hospital district is created, the directors of the district may levy taxes, construct medical facilities, and offer medical services for the people living in the district. The governor vetoed one bill (SB 850), which would have created a new hospital district in Freestone County, and which was among those measures not signed by the presiding officers in the presence of the legislature.

Several local bills were enacted relating to specific hospital districts for the purpose of authorizing revenue bonds and increasing the tax rate. The governor vetoed SB 442, providing for the sale and leaseback of land or facilities for hospital district purposes, which was among the 38 bills which were not signed before the legislature.

SB 735 was enacted to bring convalescent and nursing homes within the provisions of federal law authorizing vendor payments on behalf of recipients of Medicare by amending Texas statutes defining facilities subject to licensing.

SB 532 changes the name of "McKnight State Tuberculosis Hospital" to San Angelo Center, and transfers control and management of the institution to the Texas Department of Mental Health and Mental Retardation. The decline in resident population of the state's tuberculosis hospitals at the same time that there is an increase in demand for additional facilities for the mentally retarded and mentally ill prompted the transfer of this institution to the Department of Mental Health and Mental Retardation.

HB 288, a companion bill to HB 498 creating the Texas Technological College School of Medicine at Lubbock, provides for the conveyance of not more than 10 acres of state-owned land by the chairman of the board of directors of Texas Technological College to Lubbock County Hospital District for the purpose of construction of a teaching hospital in the Lubbock area. By creating this hospital with the dual purpose of serving the people of the area with medical facilities and providing expanded educational opportunities for students of the medical school, the legislature provided eligibility for matching funds from the federal government.

HB 802 simply removes Kendall County from the Blanco Memorial Hospital District. HB 833 creates a pilot program at the East Texas Tuberculosis Hospital in providing treatment of persons with chronic diseases of the respiratory system other than tuberculosis. HB 1208 makes records of hospital review committees immune from court subpoena. Prior to enactment of the measure, records of governing boards of hospitals in establishing admission to practice in such hospitals and insuring adequate staff organization to review professional practices were not kept because they were subject to court subpoena.

HB 1005 provides for commitment to a mental hospital of any person found to be addicted to narcotics. Commitment occurs upon petition of any person or the county attorney, accompanied by the sworn statement of two physicians that the proposed patient is an addict to narcotic drugs. Patients so committed may be detained in a mental hospital for an indefinite period or until they are released by the head of the mental hospital.

Business And Business Regulation

The business world was given close scrutiny by the 61st Legislature. As a result a wide range of legislation was enacted including comprehensive measures to permit the licensing and regulation of coin-operated machine businesses, to permit the licensing and regulation of grain warehouses, to codify the laws concerning credit unions, and to permit attorneys to form corporations.

The Texas Professional Corporation Act (SB 589) was enacted to permit attorneys, dentists, and other professional persons, except medical doctors, to incorporate to take advantage of corporation tax benefits and to provide for pension programs now available to employees of other corporations.

A similar measure, the Texas Professional Association Act (SB 745), was passed to permit one or more duly licensed professional persons to establish a professional association, as distinguished from either a partnership or corporation, for the purpose of performing professional services and dividing the legal or financial benefits from such an association.

The need for regulation of grain warehouses and warehousemen was met by the enactment of HB 856. The act places regulation under the authority of the commissioner of agriculture and provides for license fees and bonds. Violators of the act would be subject to misdemeanor punishment.

An extensive legislative investigation into the coin-operated machine business resulted in the passage of HB 579. It calls for the licensing and regulation of operators of music and skill machines and would prevent the operators from entering

into clandestine financial dealings with persons in the retail alcoholic beverage business.

SB 317 was passed to bring together and codify the laws concerning the formation and operation of credit unions and to spell out for the first time in a single statute all provisions governing such organizations.

The legislature was also greatly concerned about advertising practices in Texas. HB 37 was enacted to tighten the statute dealing with false advertising. Significant additions to the statute were provisions to permit the consumer credit commissioner to investigate possible violations of the law and to permit the attorney general to bring action in the name of the state whenever he feels the act is being violated. Stiffer penalties were also provided for violators of the act.

Complaints that unauthorized persons were falsely soliciting advertising as representatives of labor unions brought about the passage of SB 536. The bill provides that no person may solicit advertising or distribute a publication purporting to represent a labor organization without the written authority of the organization. Misdemeanor penalties were provided for violators.

Games of chance and contests such as those conducted by service stations were placed under stiff regulations by the enactment of HB 86. The bill was designed to curtail deceptive practices in such games by forcing the sponsor to reveal how many outlets are sponsoring the game or contest, to provide an accurate description of all prizes, and to reveal the minimum number of prizes to be awarded.

Several changes were made in statutes dealing with corporations. SB 458 does away with the restrictions on corporate mergers in cases involving the merger of a subsidiary corporation with its parent corporation when the parent entity owns 90 percent of the outstanding shares of each class of stock issued by the subsidiary. Senate Bills 603 and 604 were enacted to clarify the procedure for the changing or resignation of a registered agent or the changing of a registered office of a corporation or a nonprofit corporation. Modernization of the procedure for administrative involuntary dissolution and reinstatement for a corporation or nonprofit corporation was also included.

Relating to contractors, HB 129 was enacted to provide that contractors or repairmen shall be deemed as the consumer and are liable for taxes on materials incorporated into the property of a customer. HB 371 authorizes the state or any political subdivision to contract for construction equipment or for work performed in disaster relief, and exempts the contractors engaged in such work from liability for property damage or personal injury. The statute of limitations on charges of negligence against registered architects or registered engineers has been modified by HB 761.

The legislature showed concern for the problems encountered by aged, handicapped, and disabled persons in SB 111. It provides that in the future all public buildings shall be constructed to include entrance ramps that may be easily traversed by such persons.

Landlords were given a tool to cope with persons who skip out on their rent under SB 460. It provides that landlords shall have a lien on all baggage and other property found within the dwelling.

Because of a federal district court decision regarding liability on negotiable warehouse receipts, SB 744 was enacted. It would exempt from liability for conversion any person who without knowledge deals with negotiable warehouse receipts issued by a public warehouseman to evidence cotton storage which is later found to be encumbered by a lien or other encumbrance.

In the area of bonds, the 61st Legislature passed a number of bills, the most significant being SB 519, which authorizes the Parks and Wildlife Department to issue bonds not to exceed \$75 million for the purpose of creating the Texas Parks Development Fund. Another major measure dealing with bonds was SB 20, which would raise the authorized interest rate from 5 to 6 1/2 percent to make governmental bonds competitive on the market. SB 246 was also enacted to extend the maturity date on bonds or securities purchased by the Texas Water Development Board to 50 years.

The enactment of SB 526 was highly significant to the Fort Worth and North Texas area. It permits the city of Fort Worth to seek authorization from the International Commerce Development Corporation to establish a foreign trade zone. Such a zone would permit the development of Amon Carter Field as a free port and create an industrial and trade boom for the area.

In the field of trusts, the legislature passed SB 195 to authorize county auditors or county treasurers to place accumulated interest from trust funds held by the county into that county's general fund to help offset the expenses of handling the funds. SB 468 was also enacted to provide that the "Uniform Common Trust Fund Act" be considered part of the Texas Trust Act.

Business and
Commerce Code

The 61st Legislature enacted SB 127 which was designed to bring the Business and Commerce Code in line with recommendations made by the Permanent Editorial Board for the Uniform Commercial Code. The Texas act was amended to include dependencies and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico so that if a draft is payable outside of these areas, protest of any dishonor is necessary to charge the drawer and endorsers. Areas previously included were the states and territories of the

United States. The code was also altered to provide that a charter or other contract involving the use or hire of a vessel is not chattel paper. The code includes another provision that all rights earned or unearned under a charter or other contract involving the use or hire of a vessel and all rights incident to the charter or contract are contract rights and neither accounts nor general intangibles.

Banks, Savings and A major revision of state banking laws
Loans, Interest was accomplished with the enactment of
 HB 684. Broad in its scope, the measure accomplished seven changes in the Texas Banking Code:

--The banking commissioner was authorized to appoint bank examiners and assistant examiners.

--The number of required examinations of state banks was altered from two examinations each year to three examinations every two years. Special examinations may still be required when deemed desirable by the commissioner.

--The stock option plan for state banks was clarified to provide that stock may be obtained by an increase in capital or by purchase on the open market. Stock purchased may be carried as a bank asset.

--State banks were authorized to purchase and lease personal property. The property can only be purchased upon the specific request of a bank customer and must be disposed of within six months after expiration of the original lease agreement unless the commissioner gives his written consent for other arrangements.

--Present law provides that loans secured by real estate, but not exceeding 70 percent of its appraised value, must provide for the retirement of 40 percent of the principal, within the first five years. This was changed to permit a 15-year pay out of all principal in uniform, monthly, quarterly, semiannual or annual payments. It would apply only to state banks.

--State banks were authorized to lend or borrow excess cash reserve funds without reference to the legal borrowing or loan limits of the bank. Settlement periods were set at less than one week.

--State banks were authorized to calculate their cash reserves on the basis of average daily deposit balances covering weekly periods.

The Texas Banking Code underwent another major amendment with the enactment of HB 739. The act allows members of the Savings and Loan Section of the State Finance Commission to elect their own chairman from among their own membership. It also permits the group to set its meeting dates and permits the savings and loan commissioner to appoint a deputy commissioner and hearing officers to consider complaints on commission rules.

SB 535 increases the total aggregate authorized amount of Texas College Student Loan Bonds to \$285 million and provides that the interest which the bonds shall bear will be prescribed by the board.

In other measures pertaining to banking, SB 13 makes unlawful the drawing, uttering, or delivering of any check, draft, or order in payment of wages or salaries for personal services, knowing the maker, drawer, or payor does not have sufficient funds to cover the check, draft, or order. SB 88 prescribes the qualifications for directors of state banks. SB 202 requires all tangible personal property owned by a banking corporation and leased to a lessee to be reported for ad valorem tax purposes by the lessee as if the lessee owned the property. SB 469 requires that signatures on the assignment of securities must be guaranteed by any incorporated state or national bank, any unincorporated bank licensed in Texas, or by a firm that is a member of the New York Stock Exchange. SB 470 insures that Section 33.09 of the Texas Business and Commerce Code applies to national banking associations.

HB 345 provides that all Texas mortgage banking institutions which have paid in capital of not less than \$25,000 and not more than \$100,000 and are qualified to lend money under the provisions of the Federal Housing Act shall be subject to supervision by the banking commissioner of Texas. HB 397 enlarges the power of a savings and loan association to borrow money from nongovernmental sources and enlarges the general powers of an association to be coextensive with those of a federal association.

HB 685 raises the fees charged by the banking commissioner for application for and amendment to a state bank or bank and trust charter. HB 965 amends the Texas Savings and Loan Act to provide that the name of the proposed managing officer of a new association need not be disclosed at the hearing on the application for charter, but he must be disclosed and qualified before the association commences business.

HB 1217 allows the state treasurer to place an offsetting compensating balance in a special depository whenever a deficit occurs in the general revenue fund.

Liquor Regulation

During the recent legislative interim, the laws regulating the sale, transportation, possession, and consumption of alcoholic beverages were the subject of critical legislative scrutiny and extensive legislative study. These efforts culminated in the passage of SB 27, popularly known as the "Liquor Reform Bill." Due to the importance of the act, a section-by-section guide to this liquor reform package has been prepared as follows:

Section 1. This section specifies that certain records of the Texas Liquor Control Board are to be public records, including records of all violations of the act by holders of licenses and permits, and records introduced and made public at hearings and the decisions of such hearings. Under the present law, such records are "privileged."

Section 2. This section concerns offenses involving retail permittees and licensees selling or serving alcoholic beverages to minors, or permitting minors to possess or consume alcoholic beverages on the licensed premises. This provision raises the possible suspension period for a second offense to three months, and for a third offense within a period of 36 months, the possible suspension is 12 months. Present law specifies a maximum suspension period of 60 days.

Section 3. This provision exempts from the requirement of having to post a surety bond retail licensees and permittees who are not responsible for the primary payment of any alcoholic beverage excise tax to the State of Texas.

Section 4. Minors between the age of 18 and 21 are allowed to work for wholesalers (liquor), and minors over 16 years of age may be employed to work in any capacity on the premises of a wine only package store (supermarket). Presently minors are not allowed to handle alcoholic beverages in either type of business.

Section 5. This section contains several new provisions relating to minors. Formerly, if a minor purchased an alcoholic beverage, or possessed or consumed an alcoholic beverage in a public place (with certain exceptions, e.g., in the presence of his parent) he was guilty of a misdemeanor with a penalty ranging from \$10 to \$100. This amendment raises the penalty to a range of \$25 to \$200 for the first offense and a range of \$100 to \$500 for second offense. Furthermore, the qualifying words "public place" were dropped, and possession or consumption of an alcoholic beverage by a minor (with certain exceptions) will be a violation without regard to any consideration of "public place." Penalties for making alcoholic beverages available to a minor have been raised to a range of \$100 to \$500. A minor falsely claiming to be an adult to any person engaged in the selling or

serving of alcoholic beverages will be guilty of a misdemeanor carrying a penalty of \$25 to \$200 for the first offense and \$100 to \$500 for the second offense. A minor charged with violation of any of the above provisions will find that the judge must notify his parent or guardian, and if such parent resides within the jurisdictional limits of the court the parent is required to be present during all proceedings in the case. A minor who is convicted of not more than one violation of the Liquor Control Act may, upon reaching the age of 21, cause such conviction to be expunged from the record.

Section 6. This provision will allow a person who has more than one package store in a given county to transfer stock between stores between the hours of 7 a.m. and 9 a.m. on days when the sale of alcoholic beverage is legal, if he has a Local Cartage Permit. Present law prohibits any such transfer before 9 a.m.

Section 7. In the event that a minor falsely represents his age to be over 21 by displaying an apparently valid Texas Operator's License containing a physical description consistent with the appearance of said minor for the purpose of inducing the sale of alcoholic beverage, the seller is thereby granted a defense to any charge of selling alcoholic beverage to a minor.

Section 8. Under present law, confiscated liquor and beer cannot be sold until an order is granted by the court in a forfeiture proceeding. Under this amendment, provision is made for sale of the confiscated beverage prior to adjudication of the forfeiture proceeding, with proceeds of the sale being placed in escrow pending outcome of the case.

Section 9. This provision specifies that a person violating any provision of the Texas Liquor Control Act may be arrested without warrant by any peace officer who has observed the violation.

Section 10. The board is authorized to relax provisions concerning suspension or cancellation of permits or retail off-premise licenses under certain circumstances, e.g., the violation was one committed by an employee of licensee and such violation could not have been prevented by the licensee by the exercise of due diligence.

Section 11. This provision relates to seizure and forfeiture of illicit beverages and is conformed to the changes mentioned in Section 8 above.

Section 12. Presently, no appeal is allowed from an order suspending a license. This provision will allow appeals from suspensions of licenses, except retail dealer's licenses.

Section 13. This concerns procedures for transporting beer into the state from a nonresident manufacturer to an importer, involving a few technical changes.

Section 14. Repeals existing prohibitions against campaign contributions by licensees and permittees.

Section 15. This provision adds the words "to go" to the authorized wording of outdoor signs erected by retailers at their place of business; for example, an off-premise beer retailer may presently have a sign stating only "beer." Under this provision, his sign could read "beer to go."

Section 16. This provision strikes at the tied house and requires a separation of ownership and interests between the vertical levels of the alcoholic beverage industry; that is, retailer, wholesaler and manufacturer.

Section 16A. This provision makes it impossible for a package store to have its licensed premises "diagramed" or carved out of the place where it is located. Minors are barred from package stores. Subterfuge ownership and related practices are declared to constitute unlawful trade practices. Any permittee injured by reason of another permittee violating this section is given the right to sue for injunction and triple damages.

Section 17. This section authorizes the use of a reporting system instead of the tax stamp system for determining and correcting liquor taxes. "First sale," the point where the tax is imposed, is redefined from first possession in the state to first sale by a wholesaler to a retailer.

Section 17A. Retail Dealer's On-Premise Licenses and Wine and Beer Retailer's Permits are required by this provision to contain a photograph of the licensee or permittee.

Section 17B. This provision requires applicants for a Retail Dealer's On-Premise License or a Wine and Beer Retailer's Permit to submit a complete set of fingerprints to be checked by the Department of Public Safety.

Section 17C. The county judge is required to notify various law enforcement agencies upon original application being made for Retail Dealer's On-Premise License or a Wine and Beer Retailer's Permit. The applicant is required to attend the hearing on the application held by the county judge.

Section 17D. A Retail Dealer's On-Premise License or a Wine and Beer Retailer's Permit shall be denied to any person convicted of a felony or various misdemeanors within three years prior to the filing of the application. The same is true if three years has not elapsed since the termination of any sentence, parole, or probation served by the applicant for any of the specified offenses. The same standard is further applied to the spouse of an applicant.

Section 17E. Any person who appears for compensation before the Liquor Control Board on an appeal to the board in any representative capacity is required to file an affidavit with the board disclosing whom he is representing and that he is being compensated therefor. Such affidavits are made a matter of public record.

Other action in this area included HB 379, which changed the name of the Texas Liquor Control Board to the Texas Alcoholic Beverage Commission, and SB 74 which is an "implied consent" act adopted to require suspected drunk drivers to take a breath test.

Another significant measure affecting liquor regulation is HB 222. In counties of 300,000 or more, according to the last federal census, the hours for legal possession and consumption of alcoholic beverages in a public place are extended to 2:15 a.m. It also allows legal possession and consumption between 12 noon and 1 p.m. on Sunday. In such counties, the sale of beer is extended to 2 a.m. Counties under 300,000 are not automatically covered by this provision. However, the governing body of the county or city, respectively, may adopt such hours for all or part of their territory. Sale of beer during the added late hours (not including that hour between noon and 1 p.m. on Sunday) requires a special late-hours license. Private clubs will be required to obtain a late-hours permit for serving or permitting consumption of alcoholic beverages on the premises during such hours. Late-hours licenses and permits are authorized only in areas where late hours are legalized.

In the form of SJR 10, the 61st Legislature has provided the people of Texas with an opportunity to decide a controversy which has raged for many years--the question of liquor-by-the-drink. The resolution proposes a constitutional amendment, to be voted upon at the general election in November of 1970, which would authorize the legislature to enact a liquor-by-the-drink law on a local option election basis.

Insurance

Workmen's
Compensation

Benefits paid to injured workers and to the beneficiaries of deceased workers under Texas workmen's compensation laws were increased by the 61st Legislature with the enactment of SB 64. Called "The Workmen's Compensation Administrative Reform Bill of 1969," the measure set the maximum and minimum death benefits at \$49 and \$12 a week for a period of 360 weeks. Benefits for permanent incapacity were set at the same levels, but the benefit period was extended to 401 weeks. The maximum amount allowed for loss of wage-earning capacity was set at \$49 a week for 300 weeks. Benefits for specific injuries were set at the same level. SB 64 also changed the fee structure allowed for attorneys from 15 percent of awards disposed of by settlement or by the Industrial

Accident Board and 30 percent of the amount recovered in court to 25 percent without regard to where the case is concluded.

In the wake of passing the general workmen's compensation act, the legislature passed SB's 664, 543, 579, and 580 to bring the separate workmen's compensation statutes for employees of The University of Texas and Texas A&M University into line with SB 64 and to rearrange benefits paid to employees of the Texas Highway Department and certain county workers.

SB 42 was also passed to provide that where liability for compensation exists for an injured worker who loses a limb, the employee will be furnished with the needed appliance or appliances until the attending physician is convinced a satisfactory fit has been obtained.

Life Insurance Several changes were made with respect to life insurance. SB 146 authorizes life insurance companies to invest funds in remainder interests or life income interests in tax-exempt trusts, provided the company's interest shall not exceed 10 percent of the assets of the trust. SB 342 authorizes the commissioner of insurance to cancel, suspend, or revoke the power of a life insurance company and to appoint a temporary insurer if the commissioner finds that the company has abused its privilege to operate. SB 546 defines "life insurance agent" to mean any person, with certain exceptions, who is an authorized agent of a legal reserve life insurance company and acts as such in the solicitation of business. SB 601 requires that the approval of life insurance policy forms shall be made in accordance with Article 3.42, which regulates the issuance of policy forms in Texas. HB 1128 expands and clarifies the requirements for approval of policy forms for group life insurance issued in the state.

Other Insurance Laws The legislature took two steps toward protecting employees of the state who drive motor vehicles in the course of their duties. HB 203 authorized state departments and agencies to insure officers and employees from liability arising out of the use of motor vehicles, or, in the alternative, to compensate employees for money spent to purchase motor vehicle insurance required by the department or agency. HB 378 authorized the State Highway Commission to insure its officers and employees from liability arising out of the use, operation, and maintenance of its equipment.

SB 12 was enacted to relieve a Texas resident of the liability of the suspension and revocation of his driver's license if the failure to make a security deposit for an accident in another state is attributed to the failure of his insurance or surety company to obtain authorization to write insurance

in the other state. Any other violation of another state's laws requiring proof of financial responsibility or security deposit to satisfy accident judgments would result in the suspension or revocation if the circumstances of his situation are such that Texas would suspend the driving privilege of a nonresident had the accident occurred in Texas.

Federal rules and regulations regarding flood control insurance brought about the enactment of SB 668, which enables the state and its political subdivisions to obtain flood insurance under the National Flood Insurance Act of 1968, and SB 734, which authorizes coastal counties to determine potential flood areas and to regulate and control such areas so as to comply with the national act.

Insurance companies are permitted to invest in bonds issued, assumed, or guaranteed by Israel under SB 842. HB 704 requires the State Board of Insurance to revoke the certificate of authority to transact business in this state of any alien insurance company failing to service claims properly. SB 348 permits a corporation to be licensed as a local recording agent for an insurance company, and a mortgage lender cannot require a borrower or purchaser to buy insurance through a designated firm under provisions of HB 1218.

SB 600 makes it unlawful and subject to a fine up to \$5,000 to act as an insurance agent while under suspension of license. Another bill to police the industry (SB 576) authorizes the State Board of Insurance to set rules and regulations as to trade practices and unfair methods of competition.

Qualifications for "surplus lines agents" are prescribed by SB 761, which also calls for licensing and outlines the duties of such agents.

HB 190 exempts insurance companies which acquired minerals or producing royalties prior to April 1, 1959, from the state requirement for the sale of such properties.

Integration

The 61st Legislature passed a number of laws designed to prevent discrimination against any person due to his race, color, religion, or national origin, and many other existing laws were either revised or repealed to promote integration within the state.

Education

In the general field of education, the legislature repealed two outdated acts and amended two other laws in an attempt to end segregation in all activities related to education. Under the terms of HB 250, a 1925 law which had required separate schools for

white and Negro children was repealed. Also repealed (HB 251) was a statute which had authorized county libraries to establish separate branches for the Negro community. The duties of school census trustees were changed under HB 254 to eliminate the use of separate school census rolls for white and Negro students. The requirement for separate teachers' meetings for white and Negro teachers was eliminated with the adoption of HB 258.

Transportation

Several statutes which had allowed discrimination and segregation to be practiced in the operations of trains were changed by the legislature. HB 252 amended a statute which had required sleeping car companies to provide separate compartments and bedding for Negro porters from that used by white passengers. Under the amended statute there is no reference made to any particular race or color for either porters or passengers. A closely related law, HB 255, repealed a statutory requirement that railway companies provide separate coaches for white and Negro passengers. A third bill (HB 257) eliminated a requirement that separate apartments be maintained for white and Negro passengers in railway depots.

Property

A safeguard against discrimination in property sales was established by HB 808. The act provides that any clause in a deed for real property will be declared void and unenforceable if the clause attempts to provide that the property may not be sold, leased, or transferred to, or used by, any person because of race, color, religion, or national origin. The act also directs the state courts to dismiss any suit seeking to enforce such a provision.

Other Laws

Various other pieces of legislation were also passed by the 61st Legislature to promote integration. Under SB 516 cemetery associations are prohibited from making any rules or regulations which have the effect of discrimination against any person due to that person's race, color, religion, or national origin. A statutory prohibition against matches, contests, or exhibitions of fistic combat, boxing, sparring or wrestling involving persons of different races was removed by HB 820.

A 1927 law which had empowered cities to enact ordinances for the segregation of whites and Negroes was repealed by HB 253. HB 256 repealed a requirement that separate facilities be provided for whites and Negroes in the state parks system. Finally, under HB 528, the legislature deleted a statutory provision which had allowed mine owners and operators to provide separate bathing facilities for Negro and white mine workers.

Labor and Industrial Safety

With the passage of HB 156, Texas became the 37th state to adopt a state minimum wage law. The act was based on recommendations of an interim committee which studied wages, employment, and other economic problems.

Beginning on February 1, 1970, the minimum wage will be \$1.25 an hour, and on February 1, 1971, the minimum wage will escalate to \$1.40 an hour. For persons employed in agriculture, the minimum wage is set at 20 cents below the prevailing federal minimum wage for agriculture, provided that the state minimum for agriculture never exceeds the minimum wage set for non-agricultural employees. Piece-rate workers will receive an amount which is equivalent to the hourly minimum wage for agriculture, and determination of the minimum piece rate for each commodity rests with the commissioner of agriculture.

Non-agricultural employers of four or more persons, agricultural employers using more than 300 man-days of agricultural labor during any calendar quarter of the preceding year, and employers of piece-rate workers are covered by provisions of the act. Specific exemptions are included in the act for such groups as domestics, high school and college students, and persons covered by the federal minimum wage law. The measure also contains special provisions for paying less than the minimum wage to aged persons, handicapped persons, and employees of sheltered workshops.

Rather than setting up a special state agency to enforce the minimum wage, HB 156 provides that each employee covered by the act must enforce his own claim for unpaid wages through a court action.

In addition to the minimum wage law, two additional compensation laws were enacted. SB 387 amends the law relating to prevailing wage rates for persons employed on public works projects by requiring public bodies awarding contracts for public works to state the prevailing rate of per diem wages for laborers, workers, and mechanics as a sum certain in dollars and cents. SB 651 amends Article 5 of the General Appropriations Act enacted by the 60th Legislature, 1st Called Session, to allow all state agencies subject to the Fair Labor Standards Act to pay all employees time-and-a-half for authorized overtime which they work.

In the area of labor-management relations, the legislature amended the present law relating to venue for suits to enjoin strikes and picketing. The existing law allowed shopping around for a court in which to bring suit, but under SB 384 suits to enjoin strikes and picketing must be brought in the county in which the activity is alleged to have occurred unless service cannot be had on any of the defendants in that county.

Tourism, Recreation, Parks

The State of Texas is unsurpassed in potential as a tourist attraction and the 61st Legislature realized the need to preserve the beauty of our natural resources and historic monuments and to expand our great system of state parks.

HB 790 created the Texas Conservation Foundation to encourage the preservation of our state's natural beauty and history. The foundation consists of 12 members, including the executive director of the Parks and Wildlife Commission, the chairman of the Parks and Wildlife Commission, the executive director of the State Historical Survey Committee, and nine citizens prominent in related fields to be appointed by the governor and confirmed by the senate.

SB 325 gives State Parks and Wildlife Commission Employees the status and power of peace officers, and HB 256 repeals the provision requiring separate facilities for whites and Negroes in the state park system.

The development of a state system of scientific areas is boosted by the passage of HB 414, which gives the Parks and Wildlife Commission the power to acquire property for these areas and also gives the department authority over the management and protection of these areas. HB 1188 provides that certain state-owned lands in the City of El Paso may be used for park purposes and reserves all patents in oil, gas, and other materials for the Permanent School Fund.

SB 332 expands the power of the board of directors of the Trinity River Authority over recreational facilities. The board may collect fees and negotiate contracts for further acquisition of these facilities.

Three bills dealt with the creation or expansion of state museums. SB 291 creates the Spindletop Memorial Museum under the direction of the Lamar State College of Technology Board of Regents. HB 54 creates the Fleet Admiral Chester W. Nimitz Memorial Naval Museum to be located in Fredericksburg and provides for a nine-member commission to administer the museum. Control of Washington-on-the-Brazos Museum is transferred to Blinn Junior College in Washington County by HB 634.

HB 1160 authorizes the exchange of certain land in the Jim Hogg Memorial Park for other land to be included in the park, and HB 1457 transfers the responsibility for the historic Gethsemane Church and the Carrington-Covert House, both located near the Capitol, from the State Building Commission to the State Historical Commission. Through this change the historical structures will be preserved and the grounds maintained.

Several important measures were enacted to aid in the maintenance and use of Texas beaches, but five of them were among those vetoed by the governor for failure to reach his desk. SB 607 prohibited permanent business establishments on Texas beaches. Under its terms, only mobile establishments could operate and the owners of these businesses were required to make application to the commissioner of the general land office for an operational permit. SB 557 forbade any display on a public beach stating that the beach is private or that the public does not have access to the beach. The responsibility for the cleaning of state beaches by home-rule cities having over 60,000 population was provided for in SB 555. These cities were authorized to receive state funds for cleaning beaches after making application to the Parks and Wildlife Department.

SB 563 declared a moratorium on the sale or leasing of the surface estate on state-owned submerged lands pending the receipt of the Interagency Natural Resources Council study of these lands or until May 31, 1973, whichever occurred earlier.

Under the provisions of SB 558 any person desiring to excavate sand, marl, gravel, or shell from the state's beaches would be required to make written application to the commissioners in whatever county excavation is to take place.

Oil and Gas

Under SB 182 the Railroad Commission of Texas is authorized to adopt safety standards for the transportation of gas and gas pipeline facilities which are not subject to exclusive federal control. It also requires that certain records and reports be kept and provides for the inspection of these required records and facilities to determine compliance with safety standards.

SB 215 relates to the issuing of licenses for certain persons, activities, and objects dealing in LPG (Liquefied Petroleum Gas). The act lists license fees for each category.

Because of careless and avoidable accidents involving flammable liquids, HB 1070 directs the State Board of Insurance to establish rules and regulations relating to the transportation, handling, storage, and use of flammable liquids. Rules must be in compliance with published standards of the National Fire Protection Association or some other recognized standard regarding these materials.

Known as the "Special Fuels Tax Law," HB 1176 provides for the imposition, collection, administration, and enforcement of a tax on certain special fuels. The rate of the tax depends on the type of fuel and its uses. Under its terms, the same fuel may have different tax rates, depending upon its use.

Other measures enacted pertaining to oil and gas include HB 1241, which amends the law (Article 2320c, Vernon's Texas Civil Statutes) that protects contingent interests by providing for appointment by district courts of receivers to execute oil and gas leases on behalf of contingent remaindermen. So classified are persons who have contingent future interests in any lands or estates which are (1) subject to drainage of oil, gas, or other minerals; (2) capable of benefiting the holders of contingent interests by development of oil, gas, and other minerals and proper investment of the proceeds; or (3) in need of protection, conservation, and preservation of their natural resources. The existing statute, however, did not provide that the oil and gas lease executed and approved by the court could contain a pooling agreement. Since nearly all oil and gas leases contain pooling provisions, the failure of the 1949 act to make provision for pooling arrangements has resulted, in many cases, in inability of the receiver to protect the rights of contingent remaindermen by executing and entering pooling agreements on their behalf. HB 1241 remedies this situation by providing that upon petition of a person with a vested or future interest in the land or estate, the district court in the county in which the land lies is authorized to appoint a receiver to represent the future interests and to direct that the lease be amended to provide for pooling the future interests within certain limitations. The court can only direct the pooling for the purpose of (1) protecting correlative rights; (2) preventing the physical or economic waste of oil, gas, and other minerals; (3) insuring to the benefit and advantage of persons entitled thereto; or (4) providing for the conservation, preservation, or protection of the property or estate. The receiver, under direction of the court, is authorized to manage the proceeds from any pooling arrangement for the benefit of future interests. The lessee may be authorized to pool with adjacent lands into units not to exceed 160-acre tracts for oil and 640-acre tracts for gas. The same limitations and provisions are applicable in executing new leases. Another provision of the amendment allows the court to direct that proceeds held by the receiver be placed in the registry of the court, at which time the court may then dismiss the receiver. Funds would be held in the registry of the court for holders of future interests.

State Finances--Taxing and Spending

Taxing

The 61st Legislature failed to enact a major tax bill, but a number of small tax and revenue measures were passed, and several bills were enacted relating to taxation procedures and regulations. SB 529 allows extension of time for corporations to pay certain insurance premium taxes payable by the insured until time for filing of the franchise tax report. SB 373 changes the formula for assessing insurance companies for local ad valorem

taxation. The value of furniture, fixtures, and equipment is no longer subject to deduction of debt reserves and the value of real property. Only intangible property is subject to deductions, which results in tangible personal property being taxed. SB 202 requires the lessee of tangible personal property which is leased from a bank to render the property for ad valorem taxation.

Three bills were passed exempting property from ad valorem taxation. SB 118 exempts property of organizations devoted to promotion and encouragement of growing flowers and plants. SB 39 exempts property of nonprofit corporations or tax-exempt trusts which provide housing or nursing care for the elderly if the exemption is necessary for a federally-guaranteed loan. HB 1289 exempts property used for parking lots by tax-exempt hospitals.

Under HB 1176 the Special Fuel Tax (Chapter 10, Title 122A, Taxation - General, Vernon's Texas Civil Statutes) was revised and reorganized. The chapter is divided into two subchapters, one dealing with diesel fuel and one dealing with liquefied petroleum gas.

The period for payment for tobacco tax stamps was extended by HB 1158, but the act was subsequently declared invalid by a state district court on the grounds of extending the credit of the state.

HB 1147 allows the comptroller to require security by bond or otherwise to secure payment of the taxes due under Title 122A. HB 1092 authorizes the proration of taxes due on land sold for delinquent taxes or subject to eminent domain.

The franchise tax law was amended in a number of ways by HB 462. The act changed the phrase "Secretary of State" to "Comptroller" to clean up the statute, since the functions of collecting and enforcing the tax had already been transferred to the comptroller. The bill extends the period for payment of the tax to June 15; allows a foreign corporation to withdraw from the state instead of surrendering its certificate of authority; allows a foreign corporation to put up a cash deposit instead of a bond; amends the method of forfeiture and reinstatement of the right to do business and the certificate of authority; and simplifies the return form and denies access to records except by named persons.

Under HB 389 a form for a contract for the collection of school taxes is set up and the Texas Education Agency is required to distribute the form. HB 322 sets up a method for issuing tax certificates by the tax collector to show no taxes due, without necessity of court proceedings. Certain sales tax exemptions for contractors and repairmen which had been

inadvertently deleted by the 1st Called Session, 60th Legislature, were reinstated by HB 129. HB 74 clarifies the status of property with respect to liens for taxes by requiring adequate notice and filing of liens and release. The lien provisions for the taxes due under Title 122A, Taxation - General, are applied to the sums due the state under the Unemployment Compensation Act.

HB 10 decreased the time between elections for adoption or abolition of the local sales tax from two years to one year.

SB 757 increases the value of a lot that may be claimed as a homestead exempt from forced sale for non-payment of taxes from \$5,000 to \$10,000, which is more in keeping with the 200-acre allowance on farmsteads. The act becomes effective only upon approval of SJR 32 proposing an amendment to the constitution to authorize the increase. The proposed amendment will be on the ballot at the general election on November 3, 1970.

Another constitutional amendment pertaining to taxation was proposed by SJR 15, which would amend Article VIII of the constitution to establish a method of assessment for ranch, farm, and forest lands. This proposed amendment will also be on the ballot at the general election in November, 1970.

Appropriations Under SB 58, the 61st Legislature provided for annual appropriations in support of state government, rather than the customary biennial appropriations, to make the third straight year that this form of state budgeting had been adopted. However, the measure was vetoed by the governor on the basis that annual appropriations violate the spirit, if not the letter, of the constitution. The vetoed bill would have provided a record \$2.8 billion for state spending.

HB 1448, which transferred funds from the Operator's and Chauffeur's License Fund and the Motor Vehicle Inspection Fund to the general revenue fund was also vetoed "as an attempt to build up the general revenue fund at the expense of and by the use of constitutionally dedicated highway funds."

Wildlife Regulation

Eleven new counties--Ector, Kent, Scurry, Lee, Upton, Atascosa, Ward, Kaufman, Lavaca, Runnels, and Smith--were included under the provisions of the Uniform Wildlife Regulatory Act by the 61st Legislature. Part of Harrison County was also included, along with Toledo Bend and Falcon reservoirs and Palestine Lake. One county, Foard, was removed. In addition to the general inclusions and the general exclusion of Foard County, there were several special exceptions to the uniform act adopted which affect only local areas.

SB 170 prohibits all types of killing, catching, and hunting of alligators in Texas. The act repeals local laws setting seasons for alligator hunting, and the moratorium on the taking of alligators was extended by HB 1333. Each year the Parks and Wildlife Commission holds a drawing to allow limited hunting on wildlife management areas. HB 130 provides that a person may not receive special hunting privileges in these areas for two consecutive years unless and until other persons seeking the privilege have received a permit.

HB 736 provides for the protection of nongame birds by prohibiting the killing, taking, and possession of these birds. Certain common birds are excepted and may be hunted. The act repeals the unprotected bird list.

HB 957 prohibits any person from taking fish from a fish farm without consent of the owner. If the value of fish taken is over \$200, punishment is any term in the penitentiary not more than 10 years. If the value of fish taken is under \$200, the violation is a misdemeanor punishable by fine only.

HB 840 adds a new Article 897a to the Penal Code and provides for the seizure and sale of marine life possessed unlawfully. The proceeds from sales go to the special game and fish fund or to the lawful owner of the marine life as determined by the court.

Under prior law commercial Gulf shrimping boats have been allowed to use certain electronic apparatus generating not more than one volt. HB 805 authorizes use of the same equipment under the same limitations as the prior law with one exception. The new act allows a voltage not exceeding three volts.

HB 522 amends Article 913, Penal Code of Texas, 1925. The act authorizes the Parks and Wildlife Commission to issue licenses for the taking and possession of wild animals and fish for scientific purposes. The commission is also authorized to make rules and regulations concerning the use of game and fish for scientific purposes, for zoological gardens, and for propagation.

HB 530 authorizes the Parks and Wildlife Commission to issue tax for use on trotlines in the Gulf waters of Texas. The act prohibits the use of trotlines in salt waters unless the trotlines are tagged. This act is designed to allow forgotten and dangerous trotlines in the Gulf area to be removed and to aid in enforcement of saltwater fishing laws.

Fish farms are regulated and licensed by HB 733. The act requires fish farms to be licensed by the Parks and Wildlife Commission. It also authorizes the commission to issue fish-farm vehicle licenses for vehicles used in marketing fish.

Constitutional Amendments

Nine of the proposed constitutional amendments submitted to Texas voters by the 61st Legislature will be on the ballot at the special election on August 5, 1969, while the remaining seven will be voted on at the general election on November 3, 1970.

To Be Voted on August 5, 1969

- Amendment No. 1
HJR 3 Making no substantive change but cleaning up obsolete, superfluous, or unnecessary sections of the Constitution by repealing Sections 42, 46, and 48 of Article III, Sections 3a and 7 of Article VII, Section 12 of Article VIII, Section 3 of Article IX, Sections 1, 3, 4, 5, 6, 7, 8, and 9 of Article X, Section 10 of Article XI, Sections 3, 4, 5, and 7 of Article XII, Sections 1, 2, 3, 4, 5, 6, and 7 of Article XIII, Sections 2, 3, 4, 5, 6, 7, and 8 of Article XIV, Sections 3, 4, 7, 13, 29, 32, 34, 35, 36, 38, 42, 45, 46, 54, 55, 57, 58, and 60 of Article XVI.
- Amendment No. 2
HJR 9 Granting the powers and flexibility of operation to the Texas Water Development Board necessary to develop sufficient water resources for present and future economic development of the state.
- Amendment No. 3
SJR 31 Authorizing the legislature to set the salary of the lieutenant governor and the speaker of the house of representatives at not more than one-half of the salary of the governor and to set the salary of other members of the legislature at not more than the salary of a district judge.
- Amendment No. 4
SJR 6 Exempting nonprofit water supply corporations from ad valorem taxation.
- Amendment No. 5
SJR 8 Increasing the maximum amount which may be expended in one year from state funds for public assistance payments to needy aged, needy disabled, needy blind, and needy children to \$80 million, in order to comply with federal requirements for obtaining matching funds.
- Amendment No. 6
HJR 7 Authorizing removal of constitutional interest-rate limitations on certain bonds subject to limitations imposed by the legislature.
- Amendment No. 7
HJR 4 Adding certain governmental employees, officers, and agents, including members of organized volunteer fire

departments and members of organized police reserve or auxiliary units, and others, to the list of persons whose surviving spouses and children are eligible for assistance as provided by law.

Amendment No. 8 Authorizing the legislature to provide
HJR 50 for additional loans to students at
 institutions of higher education under
the Texas Opportunity Plan.

Amendment No. 9 Providing for annual sessions of the
HJR 8 Texas Legislature.

To Be Voted on November 3, 1970

S.J.R. No. 10 Amending Article XVI, Section 20,
 Subsection (a), to authorize the
legislature to enact a mixed beverage law regulating the sale
of mixed alcoholic beverages on a local option basis.

S.J.R. No. 15 Amending Article VIII establishing a
 method of assessment of ranch, farm,
and forest lands.

S.J.R. No. 32 Amending Article XVI, Section 51,
 increasing the value of the homestead
which is exempt from forced sale.

H.J.R. No. 15 Amending Article III, Section 51-b,
 Subsection (a), to reconstitute the
State Building Commission as a three-member appointive
commission.

H.J.R. No. 22 Amending Article III to provide for
 consolidating office and functions of
government by act of the legislature and for performance of
governmental functions by contract between political sub-
divisions in any county.

H.J.R. No. 28 Amending Article III, Section 52, to
 authorize any county to issue road
bonds not to exceed one-fourth of the assessed valuation of the
real property in the county under certain conditions.

H.J.R. No. 30 Amending Article V, Section 1-a,
 relating to removal, retirement, or
censure of justices, judges, and justices of the peace under
prescribed circumstances.

APPENDIX A

Measures Vetoed by the Governor

<u>Bills</u>	<u>Subject</u>	<u>Date Vetoed</u>
SB 23	Authorizing commissioners courts to provide office space for members of the legislature.	6/19/69
SB 58	General appropriation for the operation of state government between September 1, 1969, and August 31, 1970.	6/21/69
SB 184	Amending Texas Revised Civil Statutes and Penal Code relating to standards of conduct of the dental profession.	6/19/69
SB 201	Amending Article 6701h, Vernon's Texas Civil Statutes, providing that certain units of government may secure motor vehicle liability insurance under the assigned risk plan.	6/19/69
SB 217	Relating to filling vacancies among trustees appointed under a valid trust agreement.	6/19/69
SB 218	Texas Legitimacy and Paternity Act.	6/21/69
SB 228	Amending Election Code, relating to information required on a voter registration application form, registration certificate, and the list of registered voters.	6/19/69
SB 266	Amending Chapter 25, Acts of the 39th Legislature, to authorize certain water control and improvement districts to annex territory annexed to a city.	6/19/69
SB 282	Amending Article 3.70-3, Vernon's Texas Insurance Code, relating to required provisions in accident and sickness policies.	6/19/69
SB 298	Relating to sale, leaseback, rental, and purchase of land, facilities, etc., for county purposes in certain counties.	6/19/69
SB 329	Relating to adoption of rules and regulations by State Board of Health for use and labeling of safety glazing materials.	6/21/69
SB 341	Amending Section 5, Chapter 29, 54th Legislature, R.S., relating to a change in the licensing of a life insurance counselor; prohibiting advertising.	6/19/69

SB 386	Making a misdemeanor the cutting of a tree, or limb therefrom, on any electric transmission or telephone line, so as to disrupt the service.	6/19/69
SB 416	Vesting control and management of Stephen F. Austin State College in a Board of Regents as created therein.	6/21/69
SB 442	Relating to sale and leaseback and renting, leasing, or purchasing of land or facilities for hospital district purposes in certain counties.	6/19/69
SB 514	Amending Article 7880-126, Vernon's Texas Civil Statutes, providing for appeals in eminent domain proceedings initiated by water control and improvement districts.	6/19/69
SB 555	Declaring public policy on maintenance of public beaches.	6/19/69
SB 557	Providing criminal penalties for display for communication on public beach stating public does not have right of access on public beach.	6/19/69
SB 558	Relating to permits for certain excavation activities in certain coastal areas.	6/19/69
SB 562	Providing for creation of beach park boards in counties bordering on Gulf of Mexico.	6/19/69
SB 563	Declaring moratorium on sale or leasing of surface estate in state-owned submerged lands, beaches, and islands under any existing laws, pending receipt of Inter-agency Natural Resources Council study of said land, or until a certain date, whichever is earlier.	6/19/69
SB 581	Amending Article 8309e, Vernon's Texas Civil Statutes, relating to workmen's compensation coverage for municipal employees.	6/19/69
SB 585	Creating new judicial districts.	6/19/69
SB 593	Amending Section 1, Chapter 9, 49th Legislature, Regular Session, providing for the office of County Purchasing Agent in certain counties.	6/19/69

SB 599	Amending Article 21.07, Insurance Code, relating to licensing of insurance agents.	6/19/69
SB 607	Relating to licenses authorizing operation of business establishments on certain beaches.	6/19/69
SB 634	Authorizing certain home-rule cities to establish parking facilities for off-street parking and storage.	6/19/69
SB 713	Authorizing Tarrant County and El Paso County Commissioners Court to contract with political subdivisions for performance of governmental services.	6/19/69
SB 716	Establishing the Long Island Utility District adjacent to Cameron County.	6/19/69
SB 727	Relating to issuance of certain bonds by certain cities.	6/19/69
SB 759	Establishing an advisory council for study and research of problems of children with learning disabilities.	6/19/69
SB 766	Amending Article 1970-342, Vernon's Texas Civil Statutes, providing for qualifications and term of office of County Court at Law No. 2, Galveston County.	6/19/69
SB 773	Amending Article 2824, Revised Civil Statutes of Texas, 1925, providing for investment of proceeds from sale by any county of lands granted to it for educational purposes.	6/19/69
SB 785	Amending Article 5139VV, Vernon's Texas Civil Statutes, relating to composition of Juvenile Board of Harris County and to operation of programs of Harris County Child Welfare Board.	6/21/69
SB 804	Amending Article 326k-28, Vernon's Texas Civil Statutes, relating to official duties and compensation of Criminal District Attorney of Galveston County.	6/19/69
SB 805	Relating to salaries of certain officials in certain counties.	6/19/69

SB 811	Amending Article 5.05-2, Insurance Code, relating to certain motor vehicle liability insurance policies involving vehicles owned or held for sale or repair.	6/19/69
SB 813	Relating to certain home-rule cities, park boards of trustees, and parks.	6/19/69
SB 824	Relating to Court of Domestic Relations for Galveston County and to Galveston County Juvenile Board.	6/19/69
SB 830	Amending Article 6252-17, Vernon's Texas Civil Statutes, relating to posting notice of meetings of governmental or governing bodies.	6/19/69
SB 843	Amending Article 695k, Vernon's Texas Civil Statutes, authorizing the governor to appoint a chairman of the Governor's Committee on Aging.	6/19/69
SB 847	Authorizing governing boards of state-supported institutions of higher education, including public junior colleges to charge a facilities' use fee to fulltime students.	6/21/69
SB 850	Creating the Teague Hospital District of Freestone County.	6/19/69
HB 17	Relating to construction and maintenance of private roads by counties of 2,500-2,599 population.	6/11/69
HB 117	Making liable for tort claims for personal injury all units of government, to be known as Texas Tort Claims Act.	5/1/69
HB 403	Relating to display of certain prohibited weapons by persons engaged in the business of selling, buying, or renting these weapons.	6/21/69
HB 836	Providing for county bail bond control boards in certain counties and regulating the business of giving bail.	6/21/69
HB 930	Amending Article 2621, Revised Civil Statutes of Texas, 1925, creating The University of Texas at Arlington.	6/19/69
HB 1023	Amending Article 5431c, Vernon's Texas Civil Statutes, relating to issuance of patents on surveyed school land, and vacant and unsurveyed land.	6/21/69

HB 1052	Relating to the determination of salaries of court reporters.	6/21/69
HB 1337	Creating a Court of Domestic Relations in Harrison County.	6/21/69
HB 1411	Relating to salary to be paid the Criminal District Attorney of Harrison County and his assistants.	6/21/69
HB 1412	Relating to the salary of the county judge in counties of 45,000-50,000 population.	6/21/69
HB 1438	Authorizing commissioners courts of Falls and Limestone counties to prohibit use of certain devices used to call wild animals; authorizing commissioners courts to approve admission fees to state parks located in those counties.	6/21/69
HB 1448	Providing for transfer of \$9 million from the "Operator's and Chauffeur's License Fund" and \$5 million from the "Motor Vehicle Inspection Fund" to the General Revenue Fund.	6/21/69

<u>Resolutions</u>	<u>Subject</u>	<u>Date Vetoed</u>
SCR 35	Creating the Consumer Credit Study Committee.	6/20/69
SCR 36	Creating special committee to study space requirements for the legislature and to investigate need for a legislative office building.	6/20/69
SCR 91	Establishing the Delinquent Ad Valorem Tax Study Commission.	6/20/69
SCR 100	Commending Jose Francisco Ruiz.	6/20/69
SCR 110	Creating an interim committee to study taxation of farm, ranch, and forest lands.	6/20/69
SCR 111	Creating committee to study the beaches of Texas.	6/20/69
SCR 114	Creating a study committee on feasibility of establishing a state department of photography.	6/20/69
SCR 116	Supporting reinstatement of the National Agriculture Conservation Program.	6/20/69
SCR 118	Granting Richard S. Stark permission to sue the state.	6/20/69
SCR 119	Directing correction of HB 47.	6/20/69
SCR 120	Memorial resolution for Mrs. William George Richards.	6/20/69
SCR 122	Instructing senate enrolling room to make certain corrections in SB 585.	6/20/69

APPENDIX B

Interim Committees Authorized by Resolution

- HCR 85 Feasibility of creating a Texas Department of Labor; eleven members: three members of each House appointed by the respective presiding officers; five appointed by the governor.
- HCR 89 Methods of attracting new industry; nine members: three members of each House appointed by the respective presiding officers; three members appointed by the governor.
- HCR 107 Aid to private education; eleven members: three members of each House appointed by the respective presiding officers; five members appointed by the governor.
- HCR 112 State and Local Tax Policy; nine members: chairman of House Revenue and Taxation, and two other house members; and three members of the senate appointed by the respective presiding officers; three members appointed by the governor.
- HCR 116 Uninsured motorists coverage; six members: three members of each House appointed by the respective presiding officers.
- HCR 118 Natural fibers and textile development; nine members: three members of each House appointed by the respective presiding officers; three lay members, one appointed by the speaker, one appointed by the lieutenant governor, and one who shall serve as committee chairman, to be appointed jointly by the speaker and the lieutenant governor.
- HCR 124 Legislative modernization; six members: three members of each House appointed by the respective presiding officers.
- HCR 148 Citizens Committee on the Legislature; twenty members: nine members of each House appointed by the respective presiding officers, and each presiding officer shall appoint a co-chairman.
- HSR 38 House General Investigating Committee; five members of the house appointed by the speaker.
- HSR 44 Agricultural exports; six members: three members of the house and three persons from the public at large all appointed by the speaker.

- HSR 112 Texas-Mexico Friendship; ten members: five members of the house appointed by the speaker, and five persons from the public at large to be named by the committee after its organization.
- HSR 156 Control of availability of marijuana; five members of the house appointed by the speaker.
- HSR 186 Constructing a state office building in Harris County; five members of the house appointed by the speaker.
- HSR 187 Problems of heroin addiction; five members of the house appointed by the speaker.
- HSR 191 The problems of the water situation in Texas; five members of the house appointed by the speaker.
- HSR 273 Narcotic and crime investigation; five members of the house appointed by the speaker.
- HSR 274 Utilization of automatic data processing in state government; six members of the house appointed by the speaker from the Data Processing Committee and the House Appropriations Committee.
- HSR 278 Economic gains; eight members: four members of the house, and four citizen members appointed by the speaker.
- HSR 279 Control and use of floodwaters of the Sabine River; five members of the house appointed by the speaker.
- HSR 281 Milk and milk products; ten members: five members of the house and five citizen members, all appointed by the speaker.
- HSR 337 Banking; five members of the house appointed by the speaker.
- HSR 339 Texas charitable foundations; five members: three members of the house and two citizen members, all appointed by the speaker.
- HSR 340 Need for an ombudsman; five members of the house appointed by the speaker.
- HSR 341 Capitol equipment expenditures; seven members: five members of the house appointed by the speaker, and two citizen members appointed by the duly elected chairman of the committee.
- HSR 342 Parks and Wildlife; five members of the house appointed by the speaker.

- HSR 360 Livestock marketing; eight members: five members of the house and three lay members, all appointed by the speaker.
- HSR 365 Operation of four-quarter programs in Texas public schools; six members: three house members, and three from various education groups, all appointed by the speaker.
- HSR 367 Consequences of water injection into the earth; five members of the house appointed by the speaker.
- HSR 370 DDT usage and harmful effects thereof; seven members of the house appointed by the speaker.
- HSR 372 Motor vehicle licenses and issuance thereof; five members of the house appointed by the speaker.
- HSR 373 Mexican-American affairs; six members of the house appointed by the speaker.
- HSR 381 Institute of Oceanography; eight members: five members of the house appointed by the speaker, and three lay members to be appointed by members of the committee.
- HSR 385 Texas Election Code; five members of the house appointed by the speaker.
- HSR 386 House Office Committee to supervise construction and improvement of offices and house facilities, acquisition of additional space, planning, equipping, and assignments of members' offices; the committee shall represent the house in matters dealing with the Board of Control, the Building Commission, the senate, and all other agencies and officials for the acquisition and utilization of space within the Capitol; three members of the house appointed by the speaker.
- HSR 388 Public Education Committee; five members of the house appointed by the speaker.
- HSR 394 County government and county officials; five members of the house and four lay members, all appointed by the speaker.
- HSR 399 Texas Nonprofit Corporation Act; House Judiciary Committee or subcommittee.
- HSR 400 Judicial System of Texas; House Judiciary Committee.
- HSR 404 Bexar County state office building; five members of the house appointed by the speaker.

- HSR 411 Severed mineral estates for which the owners cannot be located; five members of the house to be appointed by the speaker.
- HSR 426 Parks and wildlife regulatory responsibility; five house members appointed by the speaker.
- HSR 453 Personal property and ad valorem taxes; five members from the public and/or the house, appointed by the speaker.
- HSR 455 Youth of Texas; five members of the house (implied) appointed by the speaker.
- HSR 456 Laws regulating hairdressers and cosmetologists; five house members appointed by the speaker.
- HSR 463 Imported fire ant infestation; ten members: five members of the house, and five citizens, all appointed by the speaker.
- HSR 472 Recreational water safety in Texas; five members of the house appointed by the speaker.
- HSR 488 Criminal law; five members: three members of the house; one defense attorney, one district attorney, all appointed by the speaker.
- HSR 489 Development and use of bays, inlets, and tributaries; five members of the house appointed by the speaker.
- HSR 492 Artifacts and archeological finds in Texas; five members of the house appointed by the speaker.
- HSR 498 Regulation of bail bond business in Texas; five house members appointed by the speaker.
- HSR 499 Parking difficulties in and around State Capitol Complex; five house members appointed by the speaker.
- HSR 500 Maximum security facility for the criminally insane; eight members: three house members appointed by the speaker, and five citizen members appointed by the governor.
- HSR 502 Control methods of well-spacing, production, and storage of hydrocarbon resources; five house members appointed by the speaker.
- HSR 513 Laws on optometry and related activities; five house members appointed by the speaker.

- HSR 528 Civil air patrol to provide for better coordination with state and federal search and rescue; five members: three house members and two citizens all appointed by the speaker.
- HSR 530 Surplus unskilled labor and labor shortage; five members of the house appointed by the speaker.
- HSR 544 Texas Youth Council; five members of the house appointed by the speaker.
- HSR 567 Comparative negligence judgments; five house members appointed by the speaker.
- SCR 32 Security payments and benefits for faculties of state colleges; six members: three members of each House appointed by the respective presiding officers.
- SCR 38 Texas coastal areas; Interagency Natural Resources Council to carry on study.
- SCR 46 Ecological environment; eleven members: three members of each House appointed by the respective presiding officers, and five public members appointed by the governor.
- SCR 61 State owned and operated aircraft; five members: two members of each House appointed by the respective presiding officers, and one lay member appointed by the governor.
- SCR 65 Educational opportunities available to preschool children; fifteen members: five members of each House appointed by the respective presiding officers, five persons appointed by the governor.
- SCR 74 Laws on marking and branding livestock; nine members: three members of each House appointed by the respective presiding officers, and three members at large appointed by the governor.
- SCR 84 Natural Resources Agencies; nine members: three members of each House appointed by the respective presiding officers, and three persons appointed by the governor.
- SCR 105 Laws relating to mental health and mental retardation; eleven members: three members of each House appointed by the respective presiding officers, and three persons appointed by the governor; two ex officio members: commissioner of the Texas Department of Mental Health and Retardation and executive director of Texas Legislative Council.

- SR 55 General investigation of matters relating to revenues and expenditures of the state; five members of the senate appointed by the lieutenant governor.
- SR 165 Oil and pipeline study; five members of the senate appointed by the lieutenant governor.
- SR 207 Computer utilization; five members of the senate appointed by the lieutenant governor.
- SR 317 Vocational-technical education; five members of the senate appointed by the lieutenant governor; the chairman of the committee shall appoint an advisory committee.
- SR 595 Jurisdiction and activities of authorities and districts functioning as political subdivisions; five members of the senate appointed by the lieutenant governor.
- SR 621 Development of trade, commerce and technology in agriculture; six members: three senate members appointed by the lieutenant governor; one appointed by the chairman of Texas Industrial Commission; one appointed by the commissioner of Agriculture; and one appointed by the chairman of Good Neighbor Commission.
- SR 626 Availability and use of narcotics and dangerous drugs; eleven members: three senators; three students; two laymen; one physician; one law enforcement officer; and one sociologist, social worker, or teacher.
- SR 755 Texas coastal resources; nine members: three senators and six persons representing the public at large, all appointed by the lieutenant governor.
- SR 776 Optometric profession; three members: two senators and one layman appointed by the lieutenant governor.
- SR 815 Corporate farming, livestock feeding and ranching; ten members: five senators appointed by the lieutenant governor and five citizens appointed by the governor.
- SR 817 Continuation of election law study; five members of the senate appointed by the lieutenant governor.
- SR 834 Continuation of interim insurance study committee; five senators appointed by the lieutenant governor.
- SR 870 Means of encouraging development of agricultural production; three senate members appointed by the lieutenant governor; the committee may appoint advisory committees of private citizens.

- SR 909 Unauthorized reproduction of material from phonograph records and tapes; six members: three members of the senate and three members of general public, all appointed by the lieutenant governor.
- SR 952 Reevaluation of Texas Liquor Laws; five members of the senate appointed by the lieutenant governor.
- SR 954 Methods for controlling and eliminating urban problems; five members of the senate appointed by the lieutenant governor.
- SR 957 Public welfare system; nine members: three members of the senate, and six lay members, all appointed by the lieutenant governor.
- SR 960 Public utility commission; six members of the senate to be appointed by the lieutenant governor.
- SR 977 Insurance and holding company regulation; five members: three members of the senate and two laymen, all appointed by the lieutenant governor.
- SR 980 Drug abuse rehabilitation program; eleven members of the Senate Youth Affairs Committee.
- SR 983 Senate Rules; nine members of the senate committee on rules.
- SR 993 Parks and recreation facilities; five senators appointed by the lieutenant governor.
- SR 999 Texas civil air patrol; five members: three senators and two citizens appointed by the lieutenant governor.
- SR 1006 Laws relating to parole; five senators appointed by the lieutenant governor.
- SR 1030 Vocational and technical training; five senators appointed by the lieutenant governor and five-member advisory committee appointed by the committee.
- SR 1031 Location of state-supported medical schools; ten members: five senators appointed by the lieutenant governor, and five citizen members appointed by the governor.
- SR 1037 Consumer protection in Texas; five members: three members of the senate and two citizen members, all appointed by the lieutenant governor.
- SR 1041 Effect of Texas Tort Claims Act; five senators appointed by the lieutenant governor.

- SR 1045 Professional auxiliaries serving dental profession; five senators appointed by the lieutenant governor.
- SR 1047 Relevance of returns on investment income in determining insurance rates; five senators appointed by the lieutenant governor.
- SR 1055 Congressional redistricting and legislative reapportionment; five members: one to be the chairman of the Senate Committee on Legislative, Congressional and Judicial Districts, and four other senators, all appointed by the lieutenant governor.
- SR 1061 Review of the system of school district organization; nine members to be appointed by the lieutenant governor: three members of the senate, and six members of various education groups.

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